

RESOLUTION NO. 2009-110

Adopted by the Sacramento City Council

February 24, 2009

THE SUMMARY VACATION OF THE PORTIONS OF THE IRREVOCABLE OFFER OF DEDICATION OF RIGHT OF WAY ADJACENT TO EAST COMMERCE WAY, WITHIN COUNCIL DISTRICT 1 VACATION PROCEEDING NO. VAC 08-020

BACKGROUND

- A. Beazer Homes has requested the vacation of portions of the Irrevocable Offer of Dedication (IOD) of roadway along the eastern side of East Commerce Way.
- 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. The Irrevocable Offer of Dedication of roadway located on the east side of East Commerce Way located within Council District 1, specifically described in the attached Exhibits A and B, is hereby ordered vacated.
- Section 2. The vacation of the IOD along the east side of East Commerce Way within Council District 1, is made pursuant to California Government Code Section 66477.2(c) and California Streets and Highways Code, Division 9, Part 3, Chapter 4. Pursuant to California Streets and Highways Code Sections 8334(a), and 8333(c), the City Council finds that the IOD within Council District 1, more specifically described in Exhibits A and B concerns potential right of way that would be excess right of ways not needed for highway purposes.
- Section 3. 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 4. The City Clerk shall cause a certified copy of this Resolution, attested by the City Clerk under seal; to be recorded after all fees have been satisfied. The vacation shall be effective when the City Clerk records this Resolution with the County Recorder.

Table of Contents:

- Exhibit A: Legal Description/IOD
- Exhibit A-1: Exhibit Plat/Map/IOD
- Exhibit A-2: Tabulations of Legal/Exhibits
- Exhibit B: Legal Description/IOD
- Exhibit B-1: Exhibit Plat/Map/IOD
- Exhibit B-2: Tabulations of Legal/Exhibits

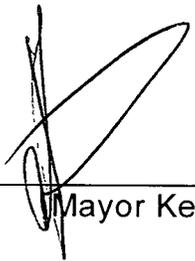
Adopted by the City of Sacramento City Council on February 24, 2009 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:



Shirley Concolino, City Clerk

EXHIBIT A

050125
JANUARY 28, 2009

EXHIBIT "A"

DESCRIPTION VACATION OF ROAD RIGHT-OF-WAY

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

ABANDONMENT NO. 1

ALL THAT PORTION OF EAST COMMERCE WAY DESCRIBED IN THAT CERTAIN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC ROAD AND PUBLIC UTILITIES GRANTED TO THE CITY OF SACRAMENTO AND RECORDED IN BOOK 87-1013, PAGE 2182, OFFICIAL RECORDS OF SACRAMENTO COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF THAT CERTAIN 17.616 ACRE (NET) PARCEL OF LAND DESIGNATED AS PARCEL 6 AS SHOWN ON THE MASTER PARCEL MAP FOR NATOMAS FIELD, FILED IN BOOK 191 OF PARCEL MAPS, PAGE 5, SACRAMENTO COUNTY RECORDS, SAID POINT BEING LOCATED ON THE EASTERLY RIGHT-OF-WAY LINE OF EAST COMMERCE WAY, AS SHOWN ON SAID MATER PARCEL MAP;

THENCE FROM SAID POINT OF BEGINNING, ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF EAST COMMERCE WAY THE FOLLOWING SIX (6) COURSES:

(1) ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1,450.00 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 24°43'05" WEST 338.58 FEET;

(2) NORTH 05°40'08" WEST 21.96 FEET;

(3) NORTH 17°56'09" WEST 80.51 FEET;

(4) NORTHERLY ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, CONCAVE TO THE WEST, HAVING A RADIUS OF 1,195.71 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 19°41'55" WEST 73.56 FEET;

(5) NORTHERLY ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT, CONCAVE TO THE EAST, HAVING A RADIUS OF 25.33 FEET AND BEING SUBTENDED BY A CHORD BEARING NORTH 01°04'13" WEST 17.65 FEET AND

(6) NORTH 65°37'41" EAST 27.36 FEET TO THE EASTERLY LINE OF THE ABOVE-REFERENCE IRREVOCABLE OFFER OF DEDICATION RECORDED IN BOOK 87-1013 AT PAGE 2182;

THENCE ALONG SAID EASTERLY LINE THE FOLLOWING SEVEN (7) COURSES:

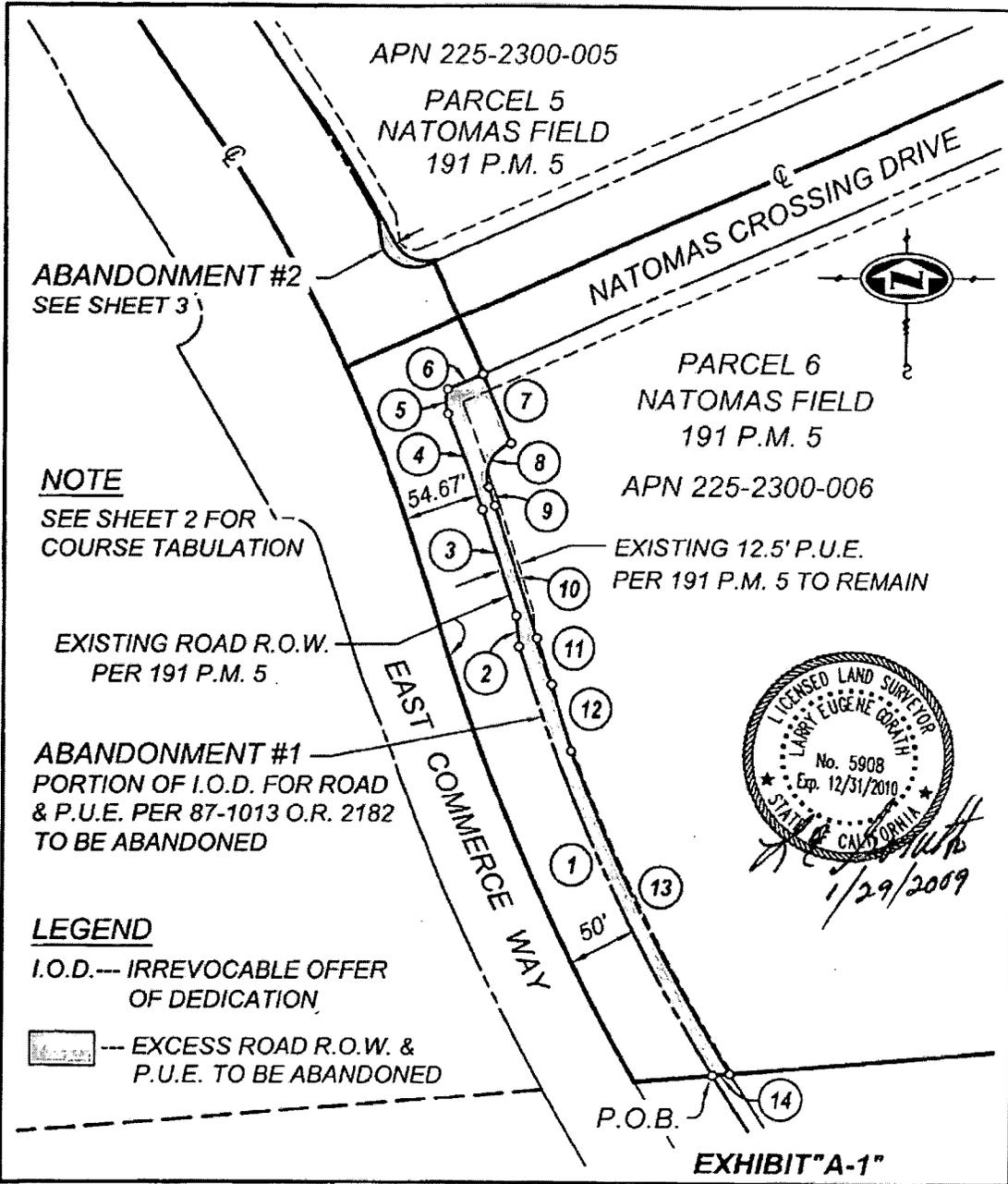
(1) SOUTH 22°10'38" EAST 54.00 FEET;

(2) SOUTHWESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 25.00 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 26°29'28" WEST 35.42 FEET;
(3) SOUTHERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, CONCAVE TO THE WEST, HAVING A RADIUS OF 1,205.04 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 18°16'36" EAST 14.34 FEET;
(4) SOUTH 17°56'09" EAST 100.00 FEET;
(5) SOUTHERLY ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, CONCAVE TO THE EAST, HAVING A RADIUS OF 1,436.00 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 18°37'53" EAST 34.87 FEET;
(6) SOUTH 16°52'58" EAST 50.00 FEET;
(7) SOUTHEASTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1,439.00 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 26°28'44" EAST 258.96 FEET TO THE SOUTH LINE OF THE ABOVE-MENTIONED PARCEL 6;
THENCE ALONG SAID SOUTH LINE SOUTH 85°04'16" WEST 12.31 FEET TO THE POINT OF BEGINNING.

APN 225-2300-005



EXHIBIT A-1



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ABANDONMENT #2
SEE SHEET 3

NOTE
SEE SHEET 2 FOR
COURSE TABULATION

EXISTING ROAD R.O.W.
PER 191 P.M. 5

ABANDONMENT #1
PORTION OF I.O.D. FOR ROAD
& P.U.E. PER 87-1013 O.R. 2182
TO BE ABANDONED

LEGEND

- I.O.D. --- IRREVOCABLE OFFER OF DEDICATION
- EXCESS ROAD R.O.W. & P.U.E. TO BE ABANDONED

EXISTING 12.5' P.U.E.
PER 191 P.M. 5 TO REMAIN



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CIVIL ENGINEERING • PLANNING • SURVEYING
1708 Tibula Road, Suite 200 • Sacramento, CA 95815
phone: 916.927.2400 • fax: 916.567.0120 • survey fax: 916.563.6770
email: eng@mpengr.com • web: www.mpengr.com

PLAT TO ACCOMPANY LEGAL DESCRIPTION

**EAST COMMERCE WAY
ROAD ABANDONMENT**

POR. OF PARCELS 5 & 6
NATOMAS FIELD - 191 P.M. 5
CITY OF SACRAMENTO, CALIFORNIA

DRAWN:	JSZ	JOB NO:	050125
CHECKED:	LEG	DATE:	JANUARY 2009
SCALE:	1"=100'	SHEET:	1 of 2

EXHIBIT A-2

TABULATION

- ① R=1450' N24°43'05"W 338.58'
- ② N05°40'08"W 21.96'
- ③ N17°56'09"W 80.51'
- ④ R=1195.71' N19°41'55"W 73.56'
- ⑤ R=25.33' N01°04'13"W 17.65'
- ⑥ N65°37'41"E 27.36'
- ⑦ S22°10'38"E 54.00'
- ⑧ R=25' S26°29'28"W 35.42'
- ⑨ R=1205.04' S18°16'36"E 14.34'
- ⑩ S17°56'09"E 100.00'
- ⑪ R=1436' S18°37'53"E 34.87'
- ⑫ S16°52'58"E 50.00'
- ⑬ R=1439' S26°28'44"E 258.96'
- ⑭ S85°04'16"W 12.31'



EXHIBIT "A-2"

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		DATE: JANUARY 2009	
DRAWN: JSZ CHECKED: LEG SCALE:	JOB NO: 050125 DATE: JANUARY 2009 SHEET: 2 of 2		

PLAT TO ACCOMPANY LEGAL DESCRIPTION
**EAST COMMERCE WAY
 ROAD ABANDONMENT**
 POR. OF PARCELS 5 & 6
 NATOMAS FIELD - 191 P.M. 5
 CITY OF SACRAMENTO, CALIFORNIA

EXHIBIT B

050125
JANUARY 28, 2009

EXHIBIT "B"

DESCRIPTION VACATION OF ROAD RIGHT-OF-WAY

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

ABANDONMENT NO. 2

ALL THAT PORTION OF EAST COMMERCE WAY DESCRIBED IN THAT CERTAIN
IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC ROAD AND PUBLIC
UTILITIES GRANTED TO THE CITY OF SACRAMENTO AND RECORDED IN BOOK
87-1013, PAGE 2182, OFFICIAL RECORDS OF SACRAMENTO COUNTY, MORE
PARTICULARLY DESCRIBED AS FOLLOWS:.

BEGINNING AT THE SOUTHWESTERLY CORNER OF THAT CERTAIN 22.878
ACRE (GROSS) PARCEL OF LAND DESIGNATED AS PARCEL 5, AS SAID PARCEL
IS SHOWN ON THE MASTER PARCEL MAP FOR NATOMAS FIELD, FILED IN BOOK
191 OF PARCEL MAPS, PAGE 5, SACRAMENTO COUNTY RECORDS
THENCE FROM SAID POINT OF BEGINNING, ALONG THE SOUTHEASTERLY LINE
OF SAID PARCEL 5 NORTH 65°37'41" EAST 88.42 FEET TO THE EASTERLY
RIGHT-OF-WAY LINE OF EAST COMMERCE WAY, AS SHOWN OF SAID MASTER
PARCEL MAP;
THENCE ALONG THE EASTERLY RIGHT OF-WAY LINE OF SAID EAST
COMMERCE WAY NORTH 24°22'19" WEST 44.50 FEET TRUE POINT OF
BEGINNING;
THENCE FROM SAID TRUE POINT OF BEGINNING ALONG THE EASTERLY
RIGHT-OF-WAY LINE OF SAID EAST COMMERCE WAY THE FOLLOWING FIVE (5)
COURSES:
(1) SOUTH 65°37'41" WEST 4.41 FEET;
(2) WESTERLY ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT,
CONCAVE TO THE NORTH, HAVING A RADIUS OF 25.33 FEET AND BEING
SUBTENDED BY A CHORD BEARING NORTH 71°00'11" WEST 34.79 FEET;
(3) NORTH 07°54'58" WEST 21.24 FEET;
(4) NORTHWESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE
LEFT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1,209.04 FEET
AND BEING SUBTENDED BY A CHORD BEARING NORTH 31°14'28" WEST 112.17
FEET AND

(5) NORTH 33°54'00" WEST 7.45 FEET TO THE EASTERLY LINE OF THE ABOVE-REFERENCED IRREVOCABLE OFFER OF DEDICATION RECORDED IN BOOK 87-1013 AT PAGE 2182;

THENCE ALONG SAID EASTERLY LINE THE FOLLOWING FOUR (4) COURSES:

(1) SOUTH 36°49'58" EAST 40.22 FEET;

(2) SOUTHEASTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1,211.54 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 29°59'15" EAST 100.00 FEET;

(3) EASTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, CONCAVE TO THE NORTH, HAVING A RADIUS OF 25.00 FEET AND BEING SUBTENDED BY A CHORD BEARING SOUTH 68°00'40" EAST 32.40 FEET AND

(4) SOUTH 22°10'38" EAST 0.74 FEET;

THENCE LEAVING THE EASTERLY LINE OF SAID IRREVOCABLE OFFER OF DEDICATION SOUTH 65°37'41" WEST 2.46 FEET TO THE TRUE POINT OF BEGINNING.

APN 225-2300-006

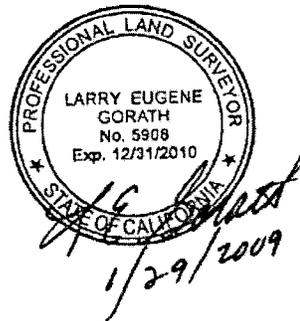
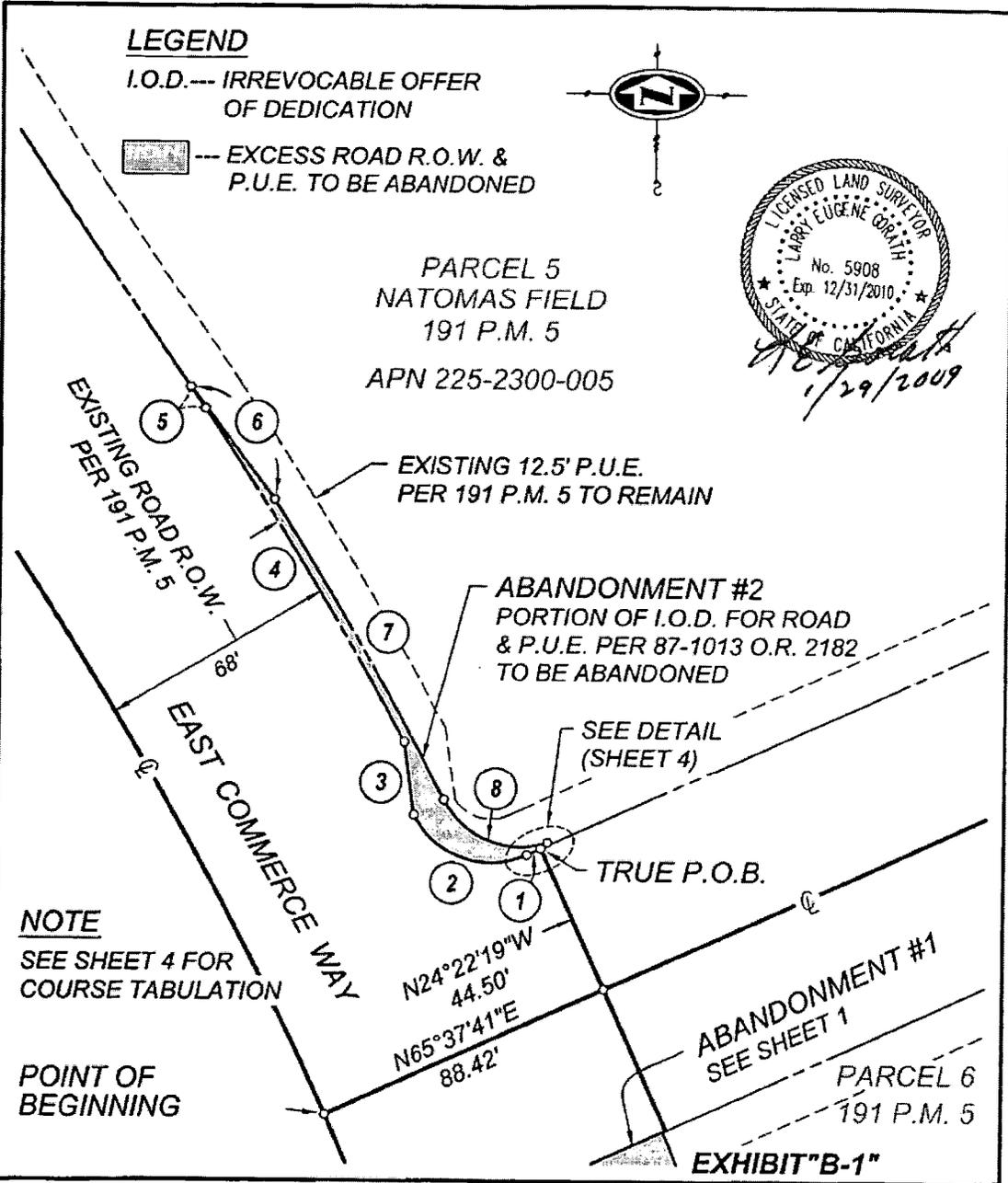


EXHIBIT B-2



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NOTE
SEE SHEET 4 FOR
COURSE TABULATION

POINT OF
BEGINNING

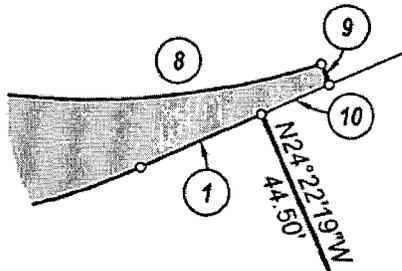
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EXHIBIT B-2

TABULATION

- ① S65°37'41"W 4.41'
- ② R=25.33' N71°00'11"W 34.79'
- ③ N07°54'58"W 21.24'
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- ⑦ R=1211.54' S29°59'15"E 100.00'
- ⑧ R=25' S68°00'40"E 32.40'
- ⑨ S22°10'38"E 0.74'
- ⑩ S65°37'41"W 2.46'



DETAIL
SCALE: 1" = 5'



EXHIBIT "B-2"

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