REPORT TO COUNCIL
City of Sacramento

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

CONSENT
March 3, 2009

Honorable Mayor and
Members of the City Council

Title: Summary Vacation of the Public Utility Easement and Emergency Vehicle Access Easement at 10 Country Place

Location/Council District: On the parcel located at 10 Country Place North of Florin Road in Council District 7 (see Attachment 2).

Recommendation: Adopt the attached **Resolution** vacating the Public Utility Easement and the Emergency Vehicle Access Easement located within Council District 7 at 10 Country Place, North of Florin Road described in Exhibit A and Exhibit B of the Resolution.

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: 15001181

Description/Analysis

Issue: Warren Land Surveying Inc. on behalf of the property owner of 10 Country Place, Florin Road Partners, has requested the vacation of the Public Utility Easement (PUE) and Emergency Vehicle Access Easement (EVAE) as recorded in the book of maps of Book 346 Page 6 as part of its future development of a Residential Care Facility. The PUE and EVAE was dedicated for a previously planned development of 14 single family detached residential homes.(P04-139) The current development request to develop a 32-bed residential care facility for Alzheimer's patients would require the vacation of the PUE and EVAE to accommodate the facility's location within the subject parcels.

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 8333(a), which establishes that

an easement that has not been used for its intended purpose for which it was dedicated may be summarily vacated.

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 to facilitate the development of the proposed Residential Care Facility.

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:

_____
for Ray Kerridge
City Manager

Table of Contents:

	Report	Pg. 1
Attachments		
1	Background	Pg. 3
2	Map Location	Pg. 4
3	Resolution	Pg. 5

Attachment 1

Background

The Summary Vacation of the Public Utility Easement and Emergency Vehicle Access Easement at 10 Country Place

Warren Land Surveying Inc., on behalf of the property owner of 10 Country Place, Florin Road Partners, has requested the vacation of the subject Public Utility Easement (PUE) and Emergency Vehicle Evacuation Easement (EVAE) to help accommodate the proposed development of a 32-bed Residential Care Facility. This request is being processed under the Streets and Highways Code (S&HC) Sections 8330-8334 as a summary vacation for City Council approval. The applicant requesting the vacation of this subject PUE and EVAE has submitted all documents required by the City of Sacramento's Department of Transportation to process this request.

The subject PUE and EVAE were dedicated in Book 346 Page 6 of maps with the Sacramento County Recorder's Office. The dedication of this PUE and EVAE were part of a proposed development to build a cluster of 14 Residential Single Family Detached homes.(P04-139) The economic climate of the housing market along with the observance of noticing other public needs within the community has directed the owners to switch their development plans. The new proposed development to build a 32-bed Residential Care Facility for Alzheimer's patients will require the vacation of the dedicated PUE and EVAE located at 10 Country Place to accommodate the new building dimensions and footprints.

PG&E has some facilities within the PUE and will require the capping off and removal of these lines at the owner's expense.

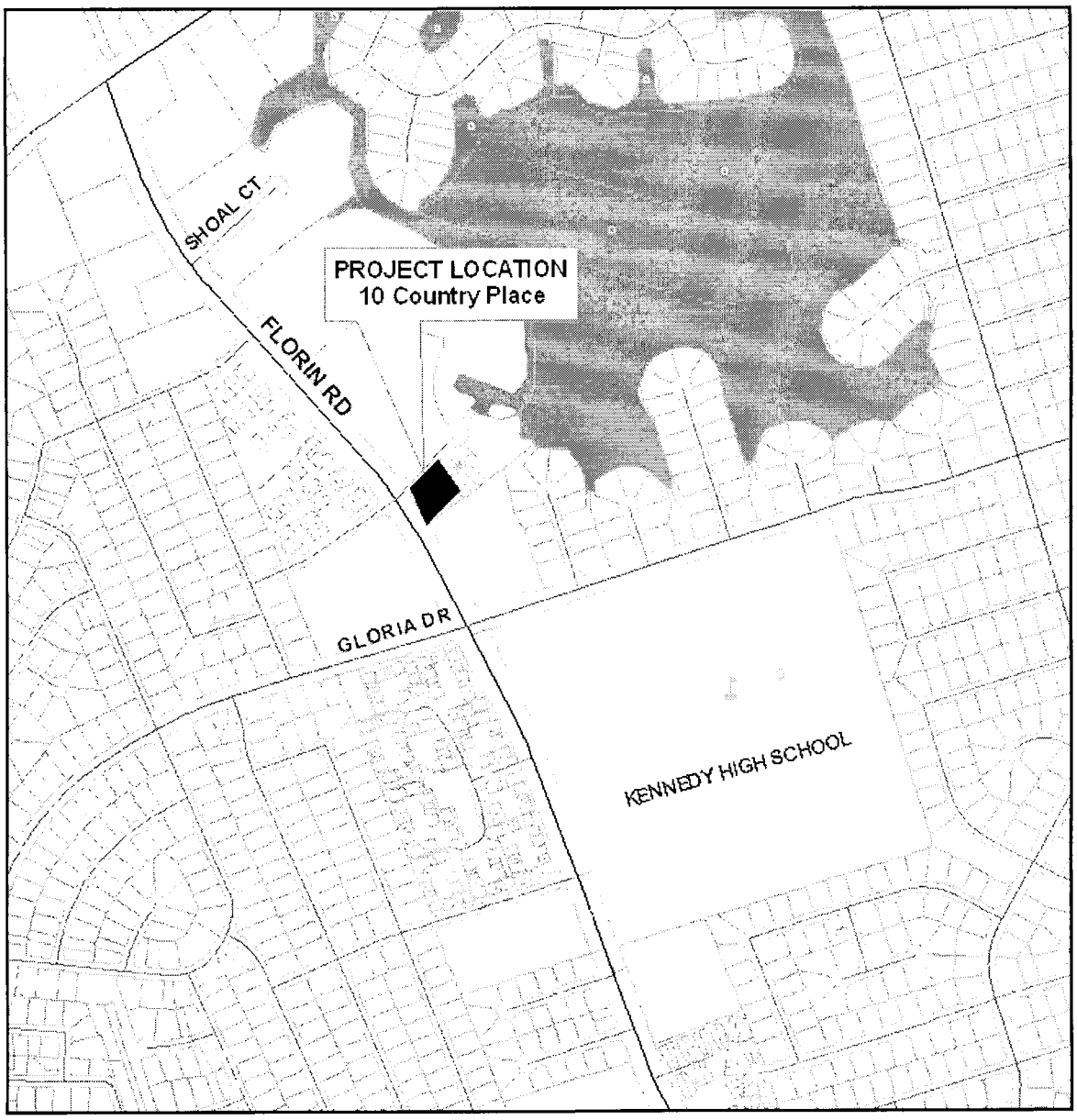
Once the subject PUE and EVAE has been vacated it will help accommodate the owner's development plans for the new Residential Care Facility.

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

Attachment 2

LOCATION MAP FOR

10 Country place



Department of TRANSPORTATION City of Sacramento

Map Contact: T. Adams
Map Date:Jan/09

0 110 220 440 660 880 Feet

N

Attachment 3

RESOLUTION NO.

Adopted by the Sacramento City Council

THE SUMMARY VACATION OF THE PUBLIC UTILITY EASEMENT AND THE EMERGENCY VEHICLE ACCESS EASEMENT LOCATED AT 10 COUNTRY PLACE, WITHIN COUNCIL DISTRICT 7
VACATION PROCEEDING NO. VAC 08-023

BACKGROUND

A. Warren Land Surveying Inc., has requested the vacation of the Public Utility Easement and the Emergency Vehicle Access Easement located at 10 Country Place.

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 Public Utility Easement (PUE) and the Emergency Vehicle Access Easement (EVAE) located at 10 Country Place within Council District 7, more specifically described in Exhibits A and B of this resolution is hereby ordered vacated.

Section 2. This Vacation is subject to the following condition:

The property owner must cap off and remove all existing facilities to the satisfaction of the Department of Transportation.

Section 3. The vacation of the PUE and EVAE within Council District 7, 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 8333, the City Council finds that the PUE and EVAE are public service easements, more specifically described in Exhibit A and Exhibit B are dedicated easements that have not been used for their intended purpose.

Section 4. 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 5. The City Clerk shall cause a certified copy of this Resolution, attested by the City Clerk under seal; to be recorded after all conditions and 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 of Public Utility Easement
Exhibit A-1: Exhibit Plat/Map Public Utility Easement
Exhibit B: Legal Description Emergency Vehicle Access Easement
Exhibit B-1: Exhibit Plat/Map Emergency Vehicle Access Easement

Exhibit A
Vacation Abandonment of Public Utility Easement

Being portions of Lots 1 through 6 of Villa Bignasco Subdivision NO. P04-139 Recorded in Book 346 at page 6 in the Sacramento County Recorders Office, City of Sacramento, County of Sacramento, State of California.
Beginning at a point on the common lot line of Lot 1 and Lot 6 of aforesaid Map said point bearing South 47° 38'00" East 10.00 feet from most northerly corner of Lot 1 that is on the Easterly Right of Way of Country Place.

Thence from the point of beginning the following twenty-one (21) courses:

1. North 42°22'00" East 15.00 feet
2. South 47°38' 00" East 20.00 feet
3. South 42°22'00" West 1.77 feet
4. South 47°38'00" East 20.00 feet
5. South 44°32'56" West 0.32 feet
6. South 30°42'03" East 13.30 feet to a curve to the left
7. Along a curve to the left with a radius of 5.00 feet, having a central angle of 90°17'49" sustained by a chord of South 75° 50'58" East 7.09 feet
8. North 89°00'08" East 25. 07 feet
9. South 30°59'52" East 30.00 feet
10. South 59°00' 08" West 83.98 feet
11. North 30°59'52" West 2.22 feet
12. South 59°00' 08" West 5.00 feet
13. North 30°59'52" West 27.78 feet
14. North 59°00'08" East 23.98 feet to the curve to the left
15. Along a curve to the left with a radius of 5.00 feet, having a central angle of 90°00'00" sustained by a chord of North 14° 00'08 East 7.07 feet
16. North 30°59'52" West 0.87 feet
17. North 57°04'46" East 0.77 feet
18. North 32°55'39" West 20.00 feet
19. South 57°05'04" West 1.47 feet
20. North 47°38'00" West 23.81 feet
21. North 42°22'00" East 15.00 feet to the point of the beginning.

Containing sq. ft. 4,255.00 acres 0.10

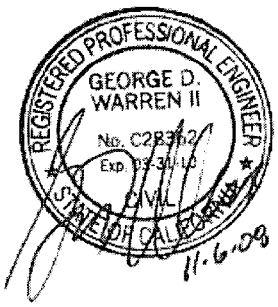
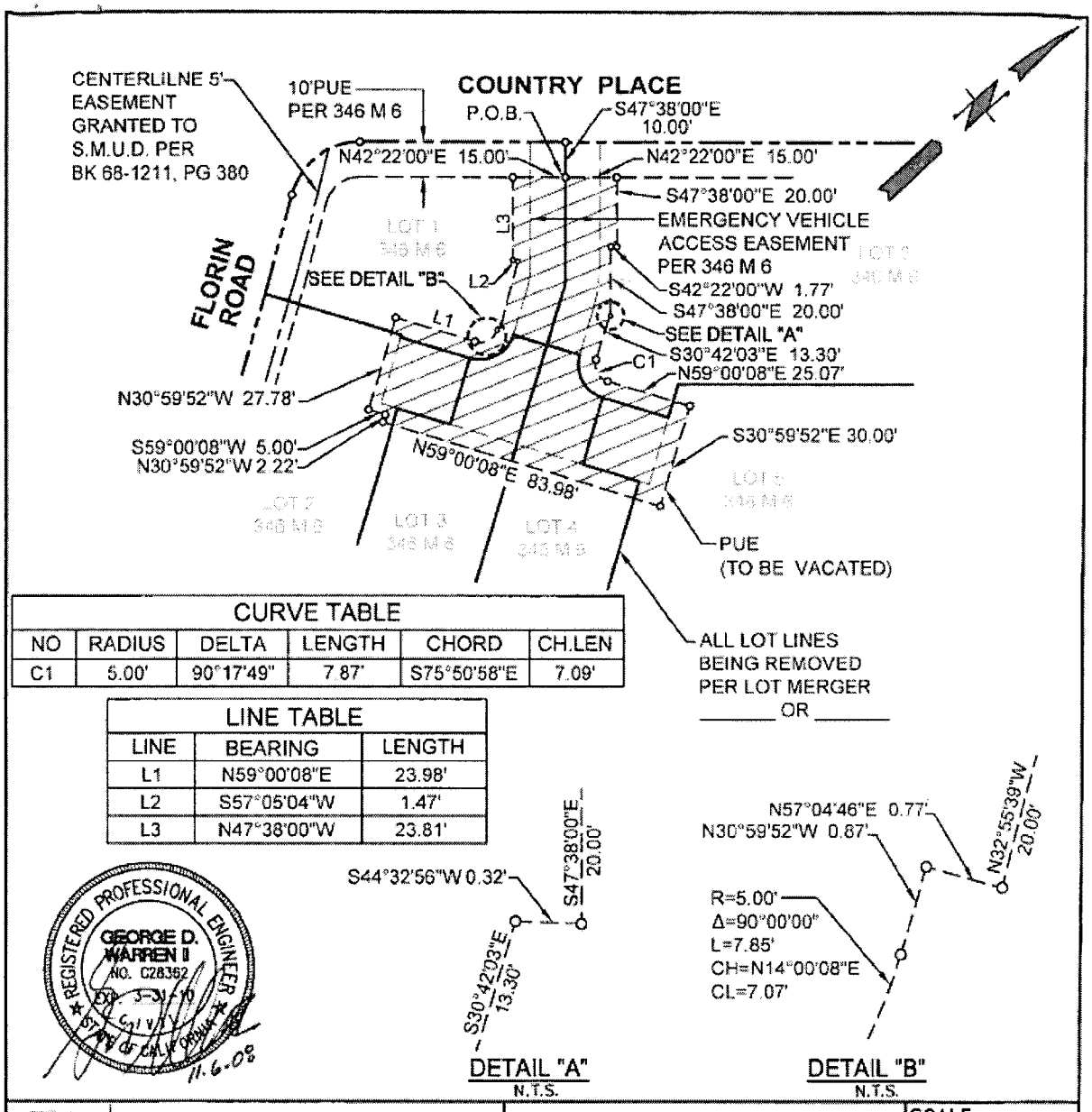


EXHIBIT A-1



CURVE TABLE					
NO	RADIUS	DELTA	LENGTH	CHORD	CH.LEN
C1	5.00'	90°17'49"	7.87'	S75°50'58"E	7.09'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N59°00'08"E	23.98'
L2	S57°05'04"W	1.47'
L3	N47°38'00"W	23.81'

Attachment B

Vacation Abandonment of Emergency Vehicle Access Easement

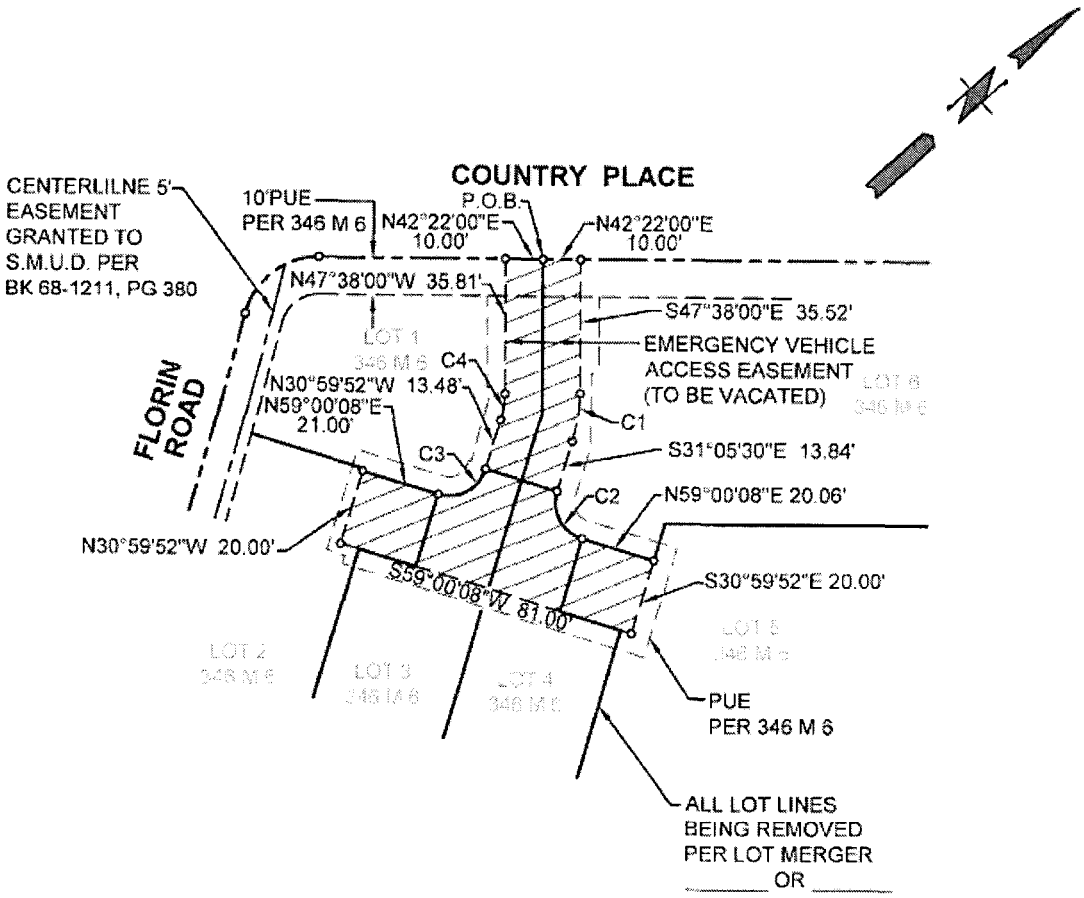
Being portions of Lots 1 through 6 of Villa Bignasco Subdivision NO. P04-139 Recorded in Book 346 at page 6 in the Sacramento County Recorders Office, City of Sacramento, County of Sacramento, State of California.
Beginning at a point on the common corner of Lots 1 and Lot 6 of aforesaid Map said point being on the Easterly Right of Way of Country Place.
Thence from the point of beginning the following fifteen (15) courses:

1. Along the Easterly Right of Way of Country Place North 42°22'00" east 10.00 feet
2. Leaving said Right of Way South 47°38' 00" East 35.52 feet to a curve to the right
3. Along a curve t the right with a radius of 44.00 feet having a central angle of 16°32'30" and being sustained by a chord of South 39°21'45" East 12.66 feet
4. South 31°05'30" East 13.84 feet to a curve to the left
5. Along a curve to the left with a radius of 10.00 feet having a central angle of 89°54'22" and being sustained by a chord of South 76°02'41" East 14.13 feet
6. North 59°00'08" East 20.06 feet
7. South 30° 59'52" East 20.00 feet
8. South 59°00'08" West 81. 00 feet
9. North 30° 59'52" West 20.00 feet
10. North 59°00' 08" East 21.00 feet to a curve to the left
11. Along a curve to the left with a radius of 10.00 feet having a central angle of 90°00'00" sustained by a chord of North 14'00'08" East 14.14 feet
12. North 30°59'52" West 13.48 feet to curve to the left
13. Along a curve to the left with a radius of 24.00 feet, having a central angle of 16°38'08" sustained by a chord of North 39° 18'56" West 6.94 feet
14. North 47°38'00" West 35.81 feet to the easterly Right of Way of Country Place
15. Along the easterly Right of Way of Country Place North 42°22'00" East 10.00 feet to the point of the beginning

Containing sq. ft. 3,044.00 acres 0.67

REGISTERED PROFESSIONAL ENGINEER
GEORGE D. WARREN II
No. C28362
Exp. 03-31-10
CIVIL
STATE OF CALIFORNIA
1.6.09

Attachment B-1



REGISTERED PROFESSIONAL ENGINEER
GEORGE D. WARREN II
NO. C28362
EXP. 3-31-10
STATE OF CALIFORNIA
11-6-09

CURVE TABLE					
NO	RADIUS	DELTA	LENGTH	CHORD	CH.LEN
C1	44.00'	16°32'30"	12.70'	S39°21'45"E	12.66'
C2	10.00'	89°54'22"	15.69'	S76°02'41"E	14.13'
C3	10.00'	90°00'00"	15.71'	N14°00'08"E	14.14'
C4	24.00'	16°38'08"	6.97'	N39°18'56"W	6.94'

WARREN LAND SURVEYING, INC.
160 Blue Ravine Road, Ste. C
Folsom, CA. 95630
916-985-1870

EXHIBIT B
VACATION (ABANDONMENT)
EMERGENCY VEHICLE ACCESS EASEMENT PER 346 M 6
CITY OF SACRAMENTO, CALIFORNIA

SCALE: 1"=40'
DATE 9-26-08
SHEET: 1 OF 1

08-059