



REPORT TO COUNCIL City of Sacramento

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

CONSENT
June 9, 2009

Honorable Mayor and
Members of the City Council

Title: Summary Vacation of a Portion of the Public Right-of-Way

Location/Council District: The 30 feet of Right-of-Way of Rose Street, North of Blaine Avenue West of Rio Linda Boulevard in Council District 2 (see Attachment 2).

Recommendation: Adopt a **Resolution** Vacating a portion of the public right-of-way on Rose Stret.

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

Presenters: Thomas Adams

Department: Transportation

Division: Engineering Services

Organization No: 15001181

Description/Analysis

Issue: Mr. Ravendra Prasad, the property owner of 803 Blaine Avenue, has requested the vacation of the 30 feet of right-of-way known as Rose Street for expanding the proposed parking area for his church. This area is currently unimproved and is not accessible to other improved streets.

Policy Considerations: The Council action recommended in this report is consistent with the General Plan.

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.

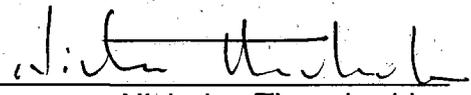
Sustainability Considerations: None

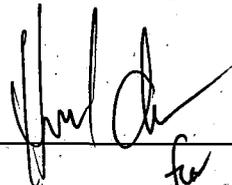
Committee/Commission Action: None

Rationale for Recommendation: This action is necessary to ensure that private development complies with City of Sacramento's development standards.

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:

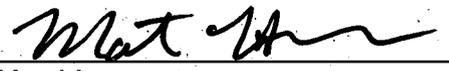

Ray Kerridge
City Manager

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Attachment 1

Background

JTS Engineering Consultants on behalf of the property owner Mr. Ravendra Prasad of 803 Blaine Avenue has requested the vacation of a portion of the right-of-way located on Rose Street located within the City of Sacramento. This subject portion of right-of-way will be required to provide adequate parking for the church. This request is being processed under the Streets and Highways Code (S&HC) Section 8330-8334 as a vacation for City Council approval.

Mr. Prasad had previously submitted an application to construct a parking lot for the church located at 803 Blaine Avenue (P04-247). One of the conditions for approval was to vacate the adjacent 30 foot right-of-way of Rose Street. Unfortunately the applicant did not complete the planning process and the application was denied.

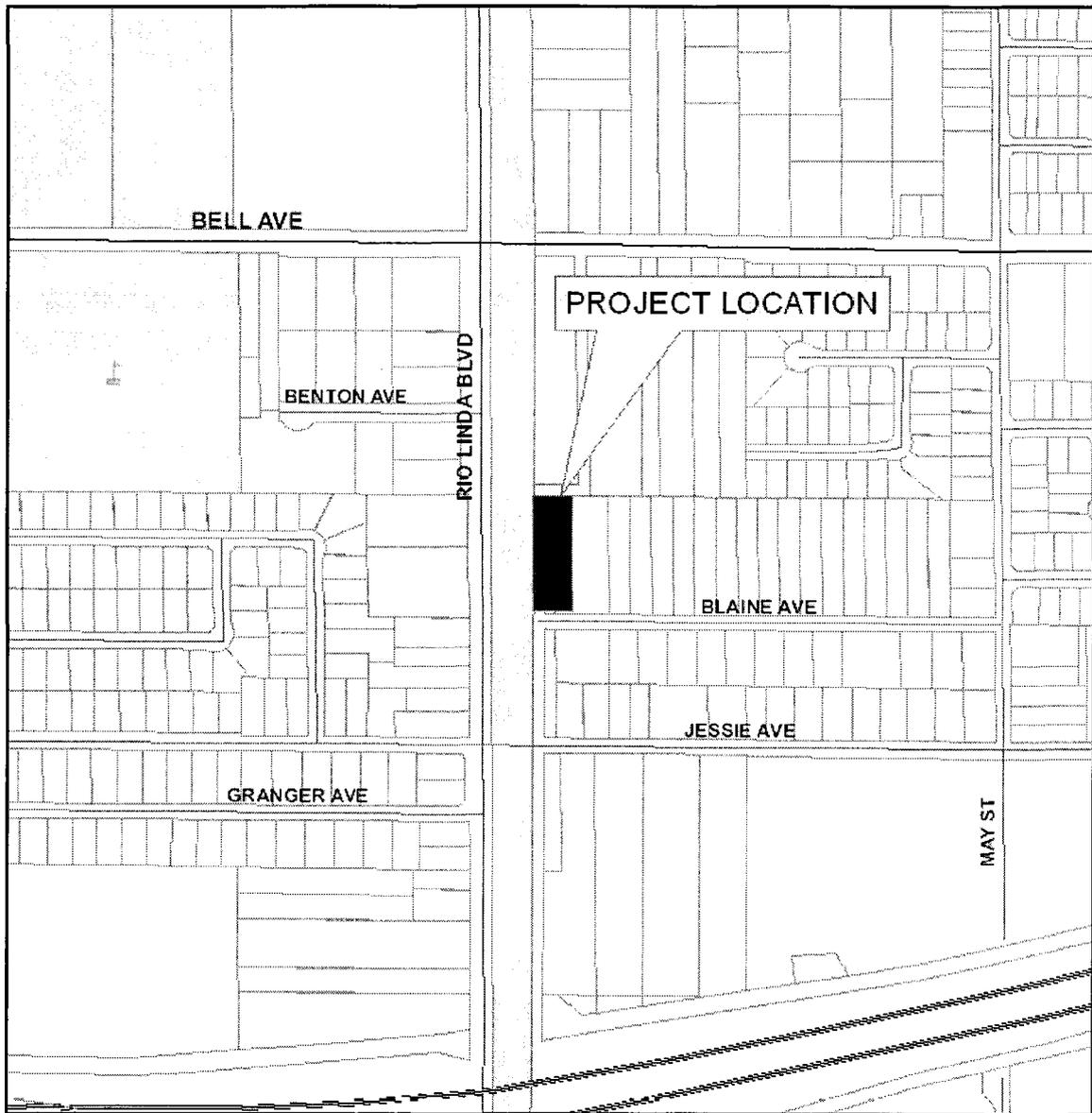
The applicant is planning to submit a new request for a parking lot and the City's Planning Department supports the vacation of Rose Street for the future development of the church's parking lot.

This subject area of Rose Street is a grass and dirt unimproved roadway not accessible to any other improved streets. This area is not utilized by any other adjacent property owner. PG&E requests the reservation of a portion of the Public Service Easement located along Rose Street. (see Attachment 4)

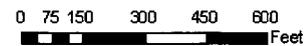
Various City departments including the City's Department of Transportation, Department of General Services and Planning Department, along with several utility companies, have reviewed this request and support the proposed vacation.

Attachment 2

LOCATION MAP FOR
Rose Street
Vacation



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



RESOLUTION NO.

Adopted by the Sacramento City Council

THE VACATION OF A PORTION OF THE PUBLIC RIGHT-OF-WAY ON ROSE STREET, WITHIN COUNCIL DISTRICT 2 VACATION PROCEEDING NO. VAC 08-017

BACKGROUND

- A. JTS Engineering on behalf of the property owner Ravendra Prasad has requested the vacation of a portion of the Public Right-of-Way on Rose 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 condition below in Section 2, the right-of-way located on Rose Street within Council District 2, more specifically described in Exhibit A and Exhibit B of this resolution is hereby ordered vacated.
- Section 2. The vacation of the Right-of-Way 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 Right-of-Way more specifically described in Exhibit A and Exhibit B is an excess Right-of-Way not required for street or 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

Exhibit B: Exhibit Plat/Map

EXHIBIT "A"
LEGAL DESCRIPTION
OF
RIGHT OF WAY ABANDONMENT

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, BEING A PORTION OF LOT 45, AS SHOWN ON THE PLAT OF SUBDIVISION OF SECTION NO. 11 OF THE RANCHO DEL PASO, RECORDED APRIL 19, 1913, IN BOOK 14 OF MAPS, MAP NO. 5, RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

A STRIP OF LAND BEING THE WESTERLY 30.00 FEET OF SAID LOT 45, SHOWN AS 30' ROADWAY ON SAID PLAT, LYING WITHIN THAT CERTAIN PARCEL OF LAND DESCRIBED IN GRANT DEED RECORDED IN BOOK 19910415, PAGE 310, OFFICIAL RECORDS OF SAID COUNTY;

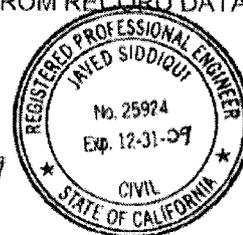
RESERVING THEREFROM, AN AREA WITHIN SAID STRIP, PURSUANT TO THE PROVISIONS OF SECTION 8340 OF THE STREETS AND HIGHWAYS CODE AND FOR THE BENEFIT OF PACIFIC GAS AND ELECTRIC COMPANY, A PERMANENT EASEMENT AND THE RIGHT AT ANY TIME AND FROM TIME TO TIME TO CONSTRUCT, RECONSTRUCT, MAINTAIN, OPERATE, REPLACE, REMOVE, REPAIR, RENEW AND ENLARGE LINES OF PIPES, CONDUITS, CABLES, WIRES, POLES, TOWERS, ELECTRICAL CONDUCTORS, AND OTHER EQUIPMENT, FIXTURES AND APPURTENANCES FOR THE OPERATION OF ELECTRIC, GAS AND COMMUNICATION FACILITIES, INCLUDING ACCESS, AND ALSO THE RIGHTS TO TRIM AND CUT DOWN TREES AND BRUSH THAT MAY BE A HAZARD TO THE FACILITIES; SAID AREA SHALL BE KEPT OPEN AND FREE OF BUILDINGS, STRUCTURES AND WELLS OF ANY KIND. SAID RESERVED AREA BEING ALL OF SAID 30.00 FEET STRIP EXCEPTING THE FOLLOWING TWO PARCELS:

- A) THE EASTERLY 11 FEET OF THE SOUTHERLY 42 FEET OF THE NORTHERLY 141 FEET OF SAID STRIP;
- B) THE EASTERLY 18 FEET OF THE SOUTHERLY 48 FEET OF THE NORTHERLY 254 FEET OF SAID STRIP

END OF LEGAL DESCRIPTION

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

Javed Siddiqui
1/19/2009



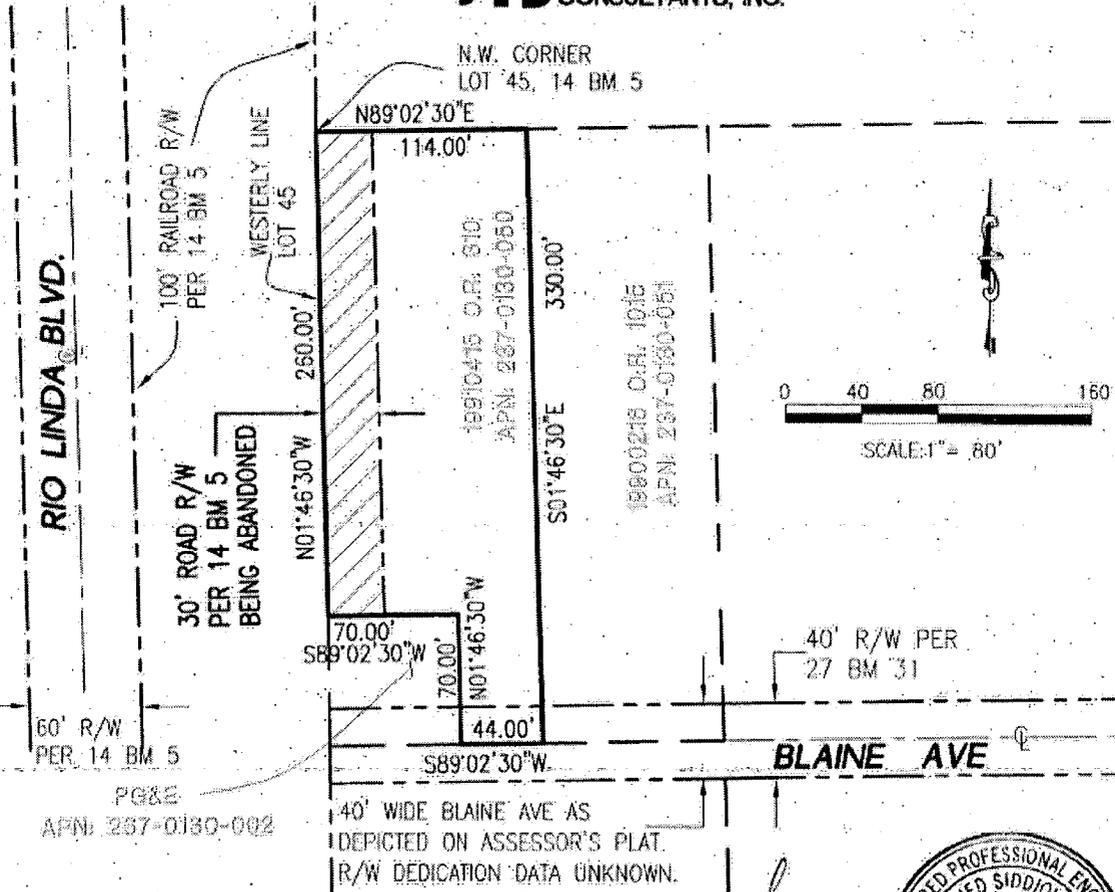
CITY OF SACRAMENTO
SHEET 1 OF 2

CALIFORNIA
JANUARY 2009

EXHIBIT "B"
ROAD ABANDONMENT EXHIBIT

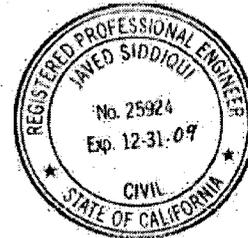
30' ROAD R/W AS SHOWN ON THE PLAT OF RANCHO
DEL PASO, RECORDED IN 14 BM 5.

JTS ENGINEERING
CONSULTANTS, INC.



NOTE:
THIS EXHIBIT IS PREPARED FROM RECORD
DATA. IT IS NOT BASED ON A SURVEY.

Javed Siddiqui
1/14/09



FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

