

RESOLUTION NO. 2009-374

Adopted by the Sacramento City Council

June 9, 2009

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

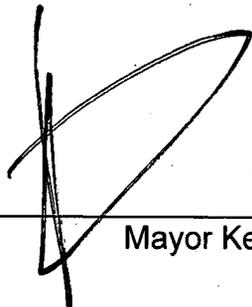
Adopted by the City of Sacramento City Council on June 9, 2009 by the following vote:

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"
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

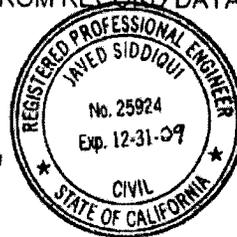
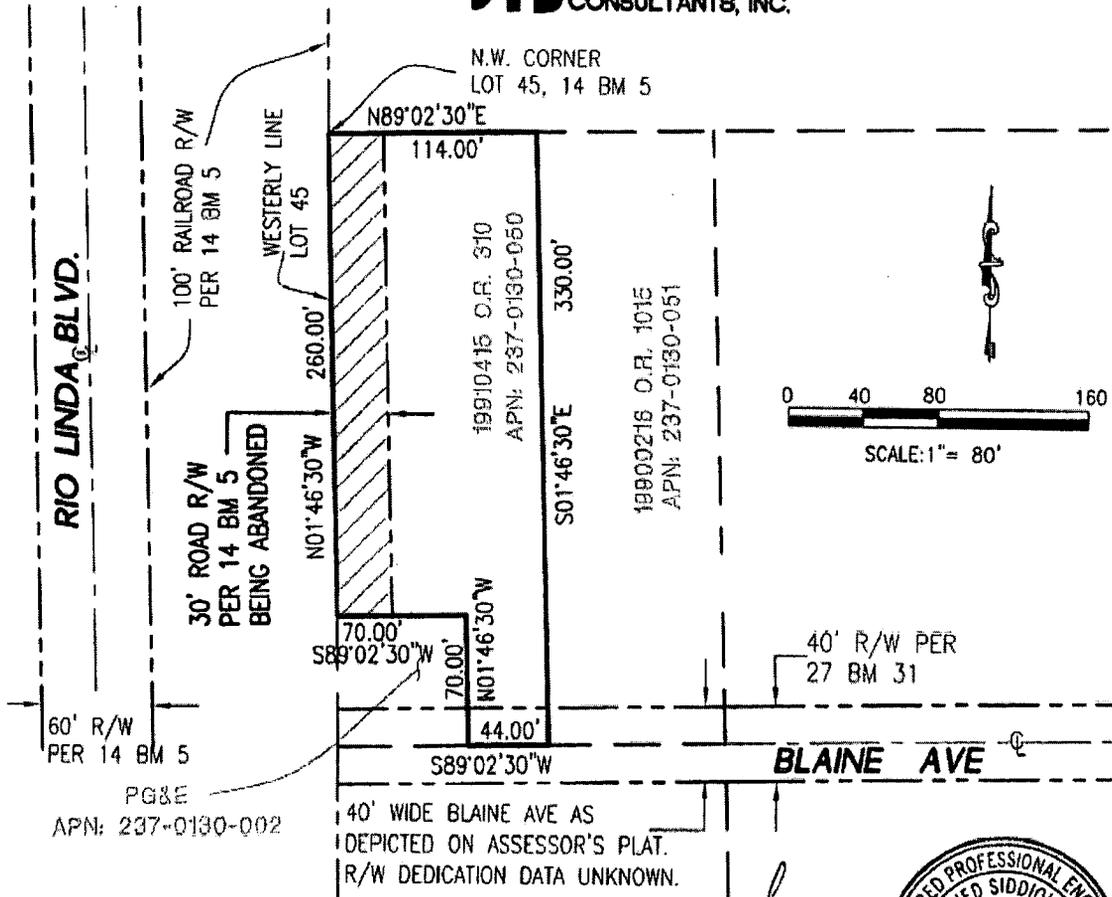


EXHIBIT "B"
ROAD ABANDONMENT EXHIBIT
30' ROAD R/W AS SHOWN ON THE PLAT OF RANCHO
DEL PASO, RECORDED IN 14 BM 5.

JTS ENGINEERING
CONSULTANTS, INC.



Javed Siddiqui
1/19/09



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

FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____