



# REPORT TO COUNCIL

## City of Sacramento

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

**CONSENT**  
**July 20, 2010**

**Honorable Mayor and  
Members of the City Council**

**Title: Summary Vacation of a Portion of the Alleyway Located at 7114 Indian Lane**

**Location/Council District:** 7114 Indian Lane Street in Council District 5 (see Attachment 2).

**Recommendation:** Adopt the attached **Resolution** vacating a portion of the public right-of-way between lot 130 and lot 131 as shown on the plat of Camellia Acres recorded in book 15 of maps, map 21 filed in the Office of the Recorder of Sacramento County ("alley"). The alley is adjacent to 7114 Indian Lane Street.

**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:** 15001151

### **Description/Analysis**

**Issue:** Cunningham Engineering on behalf of Sacramento Habitat for Humanity has requested the vacation of a portion of the alley as recorded in Book 15 of Maps, Map 21; Official Records of Sacramento County, to utilize as an additional area for the proposed residential development of 14 housing units. The alley is not currently accessible to the public for pedestrian or vehicular travel and is not needed for public access now or in the future. The subject area is currently overgrown with vegetation and has a barb wire fence separating the northern and southern adjacent properties.

**Policy Considerations:** The Council action recommended in this report is consistent with the 2030 General Plan, and is in compliance with California Streets and Highways Code Sections 8334(a), which establishes that the subject right-of-way (alley) is an excess that is not required for street and highway purposes.

**Environmental Considerations:**

**California Environmental Quality Act (CEQA):** Status is exempt under Sections 15304 and 15305 in which this project consists of the minor alteration of land use limitations which does not involve the removal of healthy, mature, scenic trees which does not result in any changes to land use or density.

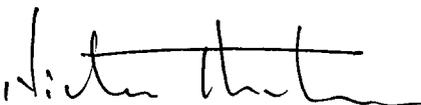
**Sustainability Considerations:** None.

**Committee/Commission Action:** None.

**Rationale for Recommendation:** Staff, along with various agencies, supports this vacation request along with proposed use to help facilitate the proposed development of 14 residential housing units.

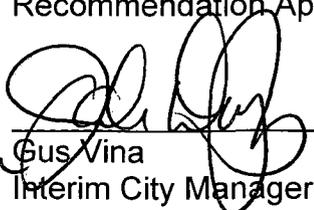
**Financial Considerations:** The applicant is responsible for all fees required to process this application and there is no cost to the City.

**Emerging Small Business Development (ESBD):** None.

Respectfully Submitted by:   
Nicholas Theocharides  
Engineering Services Manager

Approved by:   
Jerry Way  
Director of Transportation

Recommendation Approved:

  
Gus Vina  
Interim City Manager

**Table of Contents:**

	Report	Pg. 1
<b>Attachments</b>		
1	Background	Pg. 4
2	Location Map	Pg. 5
3	Resolution	Pg. 6
	Exhibit A - Legal Description	Pg. 8
	Exhibit B - Exhibit Plat/Map of Area	Pg. 9

[Back to Report Table of Contents](#)**Attachment 1**

## **Background**

Cunningham Engineering on behalf of the property owners, Sacramento Habitat for Humanity, has requested the vacation of the alley. The alley is part of the proposed residential housing development that will be utilized for setback and access requirements. The alley is located west of 7114 Indian Lane and separates two legal parcels (lot 130 and lot 131). The alley is 16 feet wide and the applicant is only requesting vacation of the most southern 8 feet of the alley; the portion adjacent to lot 131. This request is being processed under the Streets and Highways Code (S&HC) Sections 8334(a) as a summary vacation for City Council approval. The applicant requesting the vacation alley has submitted all documents required by the City of Sacramento's Department of Transportation to process this request.

The alley was dedicated for public use with the "Plat Map Camellia Acres" recorded in Book 15 of Maps, Map 21; Official Records of Sacramento County between lots 130 and 131. The alley has SMUD utilities in which a Public Utility Easement (PUE) will be reserved. The alley is currently overgrown with vegetation and is not accessible to any pedestrian or vehicular traffic. In addition to the PUE reservation, the vacation request will be conditioned on the recording of a final or parcel map that subdivides lot 131.

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

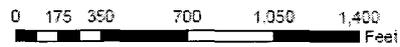
[Back to Report Table of Contents](#)

### LOCATION MAP FOR 7114 Indian Lane



Department of  
**TRANSPORTATION**  
*City of Sacramento*

Map Contact: T. Adams  
Map Date: Jun/10



[Back to Report Table of Contents](#)

**Attachment 3**

## **RESOLUTION NO.**

**Adopted by the Sacramento City Council**

### **SUMMARY VACATION OF A PORTION OF THE PUBLIC ALLEYWAY LOCATED AT 7114 INDIAN LANE, WITHIN COUNCIL DISTRICT 5 VACATION PROCEEDING NO. VAC 10-0001**

#### **BACKGROUND**

- A. Cunningham Engineering on behalf of Sacramento Habitat for Humanity has requested the vacation of a portion of the public right-of-way between lot 130 and lot 131 as shown on the plat of Camellia Acres recorded in Book 15 of Maps, Map 21 filed in the Office of the Recorder of Sacramento County (“alley”). The alley is adjacent to 7114 Indian Lane.
- B. The City of Sacramento’s 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 2030 General Plan.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. Subject to the reservation below in Section 2, the alley located adjacent to the property at 7114 Indian Lane within Council District 5, more specifically described in Exhibits A and B of this Resolution is hereby ordered vacated subject to the condition specified in Section 5.
- Section 2. Pursuant to Streets and Highways Code Section 8306 and 8340, the City of Sacramento reserves a public service easement along the vacated portions of the alley which are 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 property to be vacated.
- Section 3. The vacation of the portion of the public alleyway within Council District 5, more specifically described in Exhibits A and 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(a), the City Council finds that the portion of the right-of-way (ROW), more

specifically described in Exhibits A and B is an excess ROW not needed for street or highway purposes.

Section 4. The City Council finds that the said vacation has been submitted to and reported on by the City of Sacramento's Planning Director and finds that the said vacation is consistent with the 2030 General Plan.

Section 5. This vacation is subject to the following condition:

The recording with the Sacramento County Recorder of a parcel map or final map that subdivides the currently existing lot 131 as shown on the plat of Camilla Acres recorded in book 15 of maps, map 21 filed in the Office of the Recorder of Sacramento County.

Section 6. The condition specified in Section 5 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. Once the condition in Section 5 is met, 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.

Section 8. Exhibits A and B are incorporated into and made part of this resolution.

**Table of Contents:**

- Exhibit A: Legal Description
- Exhibit B: Exhibit Plat/Map of Area to be Vacated

[Back to Report Table of Contents](#)

## EXHIBIT "A" ALLEY ABANDONMENT

All that real property situated in the City of Sacramento, County of Sacramento, State of California, being more particularly described as follows:

The south half of the 16 foot wide Alley between Lot 130 and Lot 131, as shown on the "Plat of Camellia Acres", recorded in Book 15 of Maps, Map No. 21 filed in the Office of the Recorder of Sacramento County, more particularly described as follows:

BEGINNING at the point common to the westerly right-of-way of Indian Lane and the centerline of said 16 foot wide Alley; thence along said westerly right-of-way, South 00°11'32" West, 8.00 feet to the southerly right-of-way line of said Alley; thence along southerly right-of-way of said Alley, South 89°59'07" West, 233.56 feet; thence along the westerly property line of said Lot 131, North 00°02'42" West, 8.00 feet to the centerline of said Alley; thence along said centerline, North 89°59'07" East, 233.59 feet to the Point of Beginning.

Said property contains 0.043 acres, more or less.

End of Description

Prepared by: Cunningham Engineering Corp.  
July, 2010



[Back to Report Table of Contents](#)

### EXHIBIT "B"

#### ABANDONMENT EXHIBIT

The south half of the 16 foot wide Alley between Lot 130 and Lot 131, as shown on the "Plat of Camellia Acres" recorded in Book 15 of Maps, Map No. 21 filed in the Office of the Recorder of Sacramento County  
CITY OF SACRAMENTO COUNTY OF SACRAMENTO STATE OF CALIFORNIA

CUNNINGHAM ENGINEERING  
JULY, 2010 SCALE: 1" = 60'  
SHEET 1 OF 1 SHEETS

