

RESOLUTION NO. 2010-424

Adopted by the Sacramento City Council

July 20, 2010

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

Adopted by the City of Sacramento City Council on July 20, 2010 by the following vote:

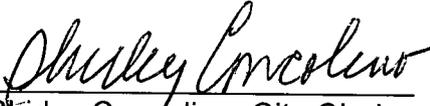
Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

Noes: None.

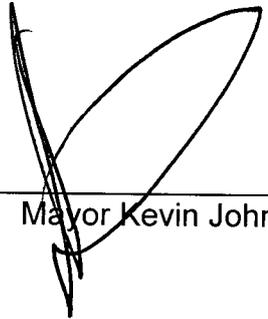
Abstain: None.

Absent: None.

Attest:



Shirley Condolino, City Clerk



Mayor Kevin Johnson

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 $00^{\circ}11'32''$ West, 8.00 feet to the southerly right-of-way line of said Alley; thence along southerly right-of-way of said Alley, South $89^{\circ}59'07''$ West, 233.56 feet; thence along the westerly property line of said Lot 131, North $00^{\circ}02'42''$ West, 8.00 feet to the centerline of said Alley; thence along said centerline, North $89^{\circ}59'07''$ 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



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

