

## **RESOLUTION NO. 2010-580**

Adopted by the Sacramento City Council

October 5, 2010

### **SUMMARY VACATION OF A PORTION OF THE PUBLIC ALLEY BOUNDED BETWEEN BROADWAY, 7<sup>TH</sup> AVENUE, 39<sup>TH</sup> STREET AND MARTIN LUTHER KING JR. BOULEVARD WITHIN COUNCIL DISTRICT 5 VACATION PROCEEDING NO. VAC 10-0003**

#### **BACKGROUND**

- A. Related Companies of California, LLC, on behalf of the Sacramento Housing and Redevelopment Agency (SHRA), has requested the vacation of a portion of the public alley bounded between Broadway, 7<sup>th</sup> Avenue, 39<sup>th</sup> Street and Martin Luther King Jr. Boulevard.
- 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 portion of the alley bounded between Broadway, 7<sup>th</sup> Avenue, 39<sup>th</sup> Street and Martin Luther King Jr. Boulevard within Council District 5, more specifically described in Exhibits A and B of this Resolution is hereby ordered vacated subject to the conditions specified in Section 4.
- Section 2. The vacation of the portion of the public alleyway within Council District 3, 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 3. 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 4. This vacation is subject to the following conditions:
  - a. The 8-inch combined sewer main within the alley must be relocated to the satisfaction of the Department of Utilities

- b. The relocation of SBC/AT&T's utilities must be completed and meet their standards for approval.
- c. The relocation of SMUD's Aerial facilities and any new easements must meet SMUD's standards.
- d. The relocation of Comcast utilities must be relocated and meet their standards of approval.
- e. The approved Building Permits must be issued.

Section 5. The conditions specified in Section 4 of this Resolution must be completed within two years of the date of this Resolution. If the 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 6. Once the conditions in Section 4 are 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 7. 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 October 5, 2010 by the following vote:

- Ayes: Councilmembers Cohn, Fong, McCarty, Pannell, Sheedy, Waters, and Mayor Johnson.
- Noes: None.
- Abstain: None.
- Absent: Councilmembers Hammond and Tretheway.

Attest:

  
Shirley Concolino, City Clerk

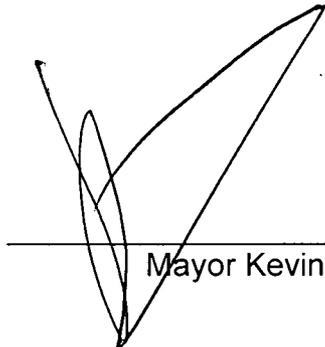
  
\_\_\_\_\_  
Mayor Kevin Johnson

EXHIBIT 'A'

#2662.001

LEGAL DESCRIPTION  
FOR AN  
ALLEY VACATION

A portion of Lots 72 through 77, as shown on a Map of the "H.J. Goethe Company's Addition F to Sacramento", recorded in Book 5 of Maps, Map No. 36, Sacramento County Records, in the City of Sacramento, County of Sacramento, State of California, described as follows:

Beginning at a point which is the northwesterly corner of said Lot 74; thence along the northerly boundary line of said Lot 74, South 81° 15' 07" East, a distance of 10.00 feet to the northeasterly corner of a 20.00 foot wide Alley, as shown on said Map; thence leaving said northerly boundary line and proceeding through said Lots 74, 73 and 72, respectively, along the easterly line of said Alley, South 08° 51' 05" West, a distance of 159.78 feet; thence leaving said easterly line and said Lot 72, proceeding into said Lot 77, North 81° 15' 37" West, a distance of 20.00 feet to a point of intersection with the westerly line of said Alley; thence proceeding through Lots 77, 76 and 75, respectively, along the westerly line of said Alley, North 08° 51' 05" East, a distance of 159.79 feet to a point of intersection with the northerly boundary line of said Lot 75, also being the northwesterly corner of said 20.00 foot wide Alley; thence along said northerly boundary line, South 81° 15' 07" East, a distance of 10.00 feet to the POINT OF BEGINNING.

Containing 3,196 square feet, more or less.

June 16, 2010

END OF DESCRIPTION

PREPARED BY WOOD RODGERS, INC.  
SACRAMENTO, CALIFORNIA

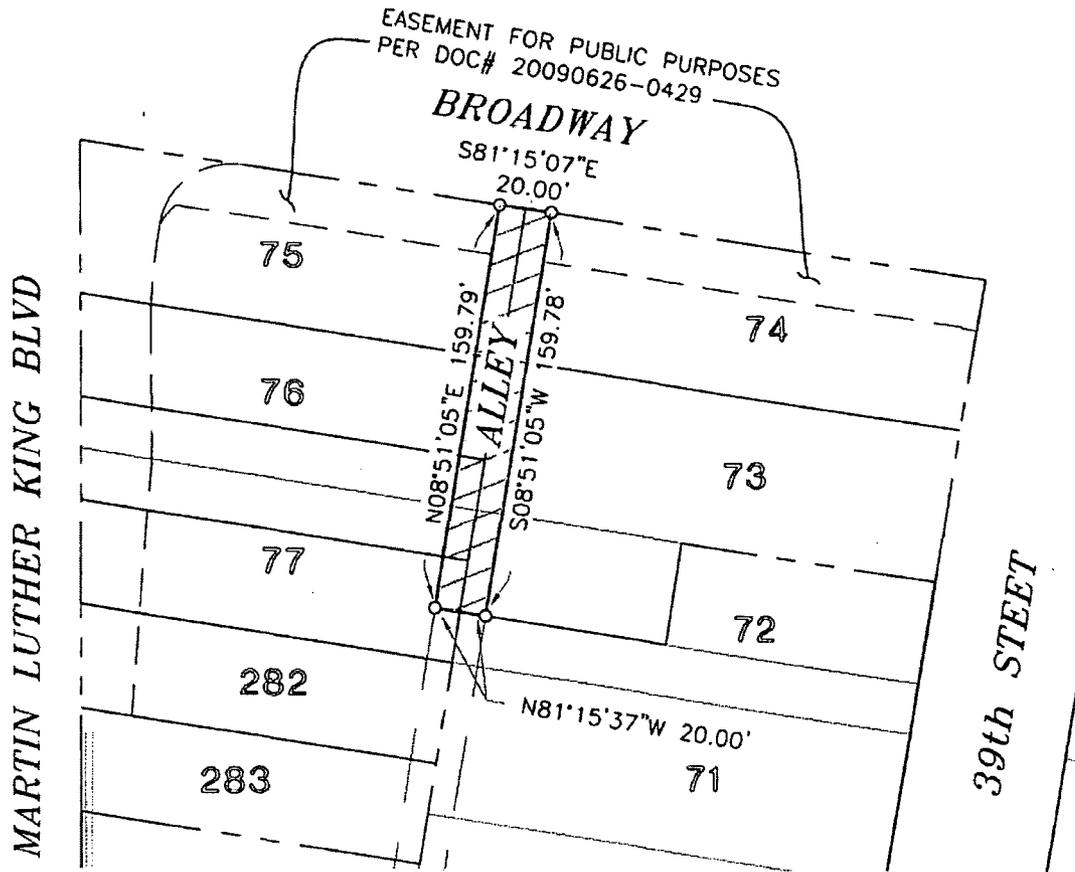


6/16/10

**EXHIBIT B**

PLAT TO ACCOMPANY  
DESCRIPTION

MLK/BROADWAY  
ALLEY VACATION  
PORTION OF LOTS 72 THRU 77  
CITY OF SACRAMENTO, COUNTY OF SACRAMENTO  
STATE OF CALIFORNIA



*6/16/10*

SEE DESCRIPTION FOR  
COURSE INFORMATION

SCALE: 1"=60'



**WOOD RODGERS**  
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JUNE 16, 2010 2662.001 SHEET 1 OF 1

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