



# REPORT TO COUNCIL

## City of Sacramento

11

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

CONSENT

**November 23, 2010**

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

**Title: Summary Vacation of 5<sup>th</sup> Street Bounded Between Bannon Street and Richards Boulevard and Summary Vacation of two Public Service Easements located adjacent to 5<sup>th</sup> Street**

**Location/Council District:** 5<sup>th</sup> Street located South of Richards Boulevard and North of Bannon Street in Council District 1 (see Attachment 2).

**Recommendation:** Staff recommends that the City Council adopt the attached **Resolution**; 1) vacating the area of 5<sup>th</sup> Street located between Bannon Street and Richards Boulevard as described in the Exhibit A and Exhibit B attached to the proposed resolution; 2) vacating two public utility easements (also known as public service easements) located adjacent to 5<sup>th</sup> Street as described in the Exhibit A-1 and Exhibit B-1 attached to the proposed resolution; 3) reserving from the vacated portion of 5<sup>th</sup> Street a public service easement for the purposes of maintaining, operating, repairing, replacing, removing, or renewing sewer pipelines and appurtenances in, upon, or over and across the subject property to be vacated as described in the Exhibit A-2 and Exhibit B-2 attached to the proposed resolution; and 4) reserving from the vacated portion of 5<sup>th</sup> Street a public service easement for future utility services as described in the Exhibit A-3 and Exhibit B-3 attached to the proposed resolution.

**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:** As part of the project to relocate the Greyhound Terminal to a site located adjacent to Richards Boulevard, the City of Sacramento General Services Department and Economic Development Department propose that the City Council summarily vacate a portion of 5<sup>th</sup> Street located between Bannon Street and Richards Boulevard and two adjacent public service easements (also known as public utility easements) and reserve from the vacated portion of 5<sup>th</sup> Street a total of three public service easements.

**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 8333(c) which provides for summary vacation of a public service easement determined to be excess if there are no other public facilities located within the easement and California Streets and Highways Code Section 8334(a) which provides for summary vacation of right-of-way which is excess and not required for street or highway purposes.

**Environmental Considerations:**

**California Environmental Quality Act (CEQA):** A Subsequent Mitigated Negative Declaration was prepared according to Section 15162 of the CEQA Guidelines and circulated for a 20-day public review period from April 21, 2010 to May 10, 2010. On February 24, 2009, the City Council approved the Greyhound Terminal Relocation Mitigated Negative Declaration (MND) and Mitigation Monitoring Plan by Resolution 2009-115. On May 27, 2010, the Planning Commission determined that the Subsequent MND constitutes an adequate, accurate, objective and complete review of the environmental effects of the proposed project and approved the Subsequent MND. The prior environmental review satisfies requirements for review under the California Environmental Quality Act (CEQA) and no additional environmental review is required.

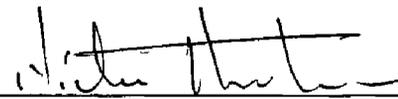
**Sustainability Considerations:** None.

**Committee/Commission Action:** None.

**Rationale for Recommendation:** Staff, along with various agencies, supports this vacation request.

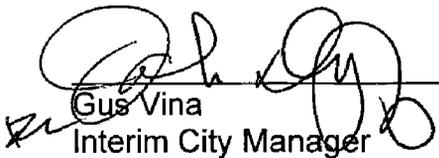
**Financial Considerations:** The funding for this vacation request and process is being paid for by the Economic Development Department under the Capital Improvement Project No. B18420004. The estimated cost of this vacation request is \$7,000.

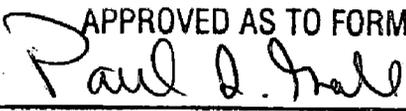
**Emerging Small Business Development (ESBD):** None.

Respectfully Submitted by:   
Nicholas Theocharides  
Engineering Services Manager

Approved by:   
Jerry Way  
Director of Transportation

Recommendation Approved:

  
Gus Vina  
Interim City Manager

APPROVED AS TO FORM:  
  
CITY ATTORNEY

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## Background

As part of the Greyhound Terminal Relocation Project the City's General Services Department has submitted an application for vacation of 5<sup>th</sup> Street and two adjacent public service easements (also known as public utility easements) as identified on the parcel map entitled "Discovery Centre" recorded in Book 158 of parcel maps, at Page 12 of Official Recorders of Sacramento County. As part of the Greyhound Terminal Relocation Project, 5<sup>th</sup> Street will be relocated to the west as an extension Sequoia Pacific Boulevard between Richards Boulevard and Bannon Street. The subject area being vacated is not accessible for vehicular or pedestrian traffic and will be utilized to help facilitate the development of the Greyhound Relocation project.

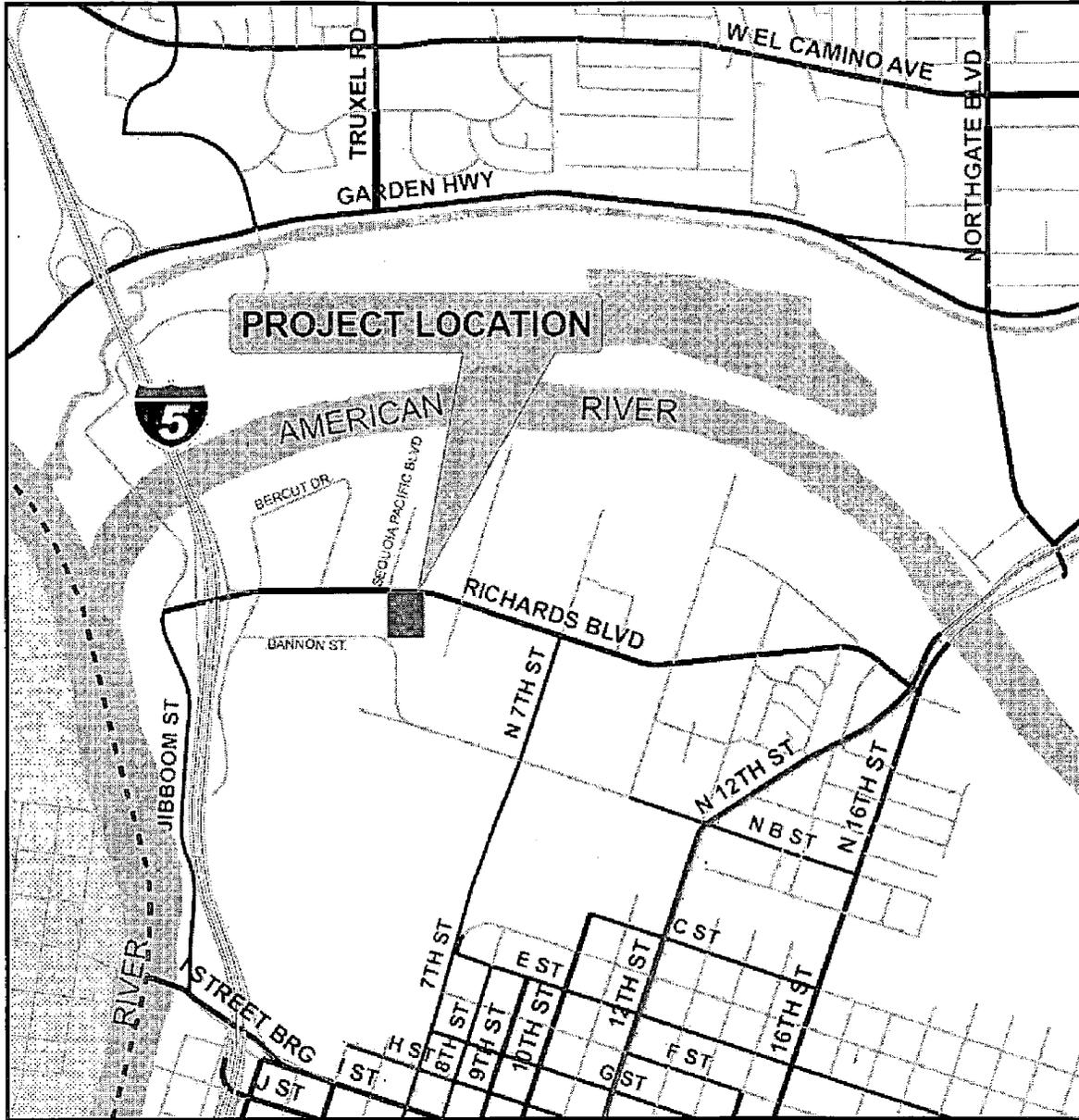
It is the intent of this request to vacate the subject area of 5<sup>th</sup> Street and two adjacent public service easements and reserve some portions of the vacated area of 5<sup>th</sup> Street as public service easements for future and existing facilities. A public service easement (also known as public utility easement) will be reserved within specific areas of the vacated portion of 5<sup>th</sup> Street to preserve access and maintenance rights for the City of Sacramento and other utility facilities. Specifically, a 20 foot wide public service easement will be reserved for the existing 15 inch-wide sewer main for the purpose of maintaining, operating, repairing, replacing, removing, or renewing sewer pipelines and appurtenances. In addition, two 12.5' wide public service easements will be reserved; one easement along the south side of Richards Boulevard and one easement on the north side of Bannon Street for street improvements to meet City standards.

This request is being processed under Streets and Highways Code Sections 8333(c) which provides for summary vacation of a public service easement determined to be excess if there are no other public facilities located within the easement and California Streets and Highways Code Section 8334(a) which provides for summary vacation of right-of-way which is excess and not required for street or highway purposes.

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

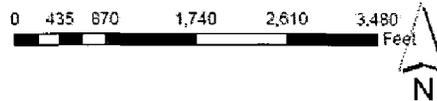


### LOCATION MAP FOR 5th Street Vacation



Department of  
**TRANSPORTATION**  
City of Sacramento

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





## **RESOLUTION NO.**

**Adopted by the Sacramento City Council**

**SUMMARY VACATION OF 5<sup>TH</sup> STREET BOUNDED BETWEEN BANNON STREET  
AND RICHARDS BOULEVARD AND SUMMARY VACATION OF TWO PUBLIC  
SERVICE EASEMENTS LOCATED ADJACENT TO 5<sup>TH</sup> STREET,  
WITHIN COUNCIL DISTRICT 1  
VACATION PROCEEDING NO. VAC 10-0006**

### **BACKGROUND**

- A. As part the project to relocate the Greyhound Bus Depot to a site located adjacent to Richards Boulevard, the City of Sacramento General Services Department and Economic Development Department propose that the City Council summarily vacate a portion of 5th Street located between Bannon Street and Richards Boulevard and two adjacent public service easements (also known as public utility easements) and reserve from the vacated portion of 5th Street three separate public service easements.
- 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 reservations below in Section 3 and Section 4, the subject Right-Of-Way (ROW) known as 5<sup>th</sup> Street located between Richards Boulevard and Bannon Street within Council District 1, more specifically described in the attached Exhibit A and Exhibit B to this Resolution is vacated.
- Section 2. The two public utility easements (also known as public service easements) located adjacent to 5<sup>th</sup> Street more specifically described in the attached Exhibit A-1 and Exhibit B-1 to this Resolution are vacated.
- Section 3. Pursuant to Streets and Highways Code Section 8306 and 8340, the City of Sacramento reserves a public service easement (also known as a public utility easement) over a portion of the ROW more specifically described in the attached Exhibit A-2 and Exhibit B-2 to this Resolution for the purposes of maintaining, operating, repairing, replacing, removing, or

renewing sewer pipelines and appurtenances in, upon, or over and across the subject property to be vacated.

- Section 4. Pursuant to Streets and Highways Code Sections 8306 and 8340, the City of Sacramento reserves a public service easement (also known as a public utility easement) for future utility services over a portion of the ROW more specifically described in the attached Exhibit A-3 and Exhibit B-3 to 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 5. The vacation of the portion of the ROW within Council District 1, more specifically described in Exhibit A and Exhibit B and the vacation of the two public service easements located adjacent to 5<sup>th</sup> Street as described in Exhibit A-1 and Exhibit B-1 are 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 ROW more specifically described in Exhibits A and B is an excess ROW not needed for street or highway purposes. Pursuant to California Streets and Highway Code Section 8333(c), the City Council finds that the two public service easements (also known as public utility easements) located adjacent to 5<sup>th</sup> Street as described in Exhibit A-1 and Exhibit B-1 are excess easements.
- Section 6. The City Council finds that the said vacations have been submitted to and reported on by the City of Sacramento's Planning Director and finds that the said vacations are consistent with the 2030 General Plan.
- Section 7. 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.
- Section 8. Exhibits A, A-1, A-2, A-3, B, B-1, B-2 and B-3 are incorporated into and made part of this resolution.

#### **Table of Contents:**

- Exhibit A: Legal Description Vacation of 5<sup>th</sup> Street  
Exhibit A-1: Legal Description of PUE/PSE Vacation  
Exhibit A-2: Legal Description of Sewer PSE Reservation  
Exhibit A-3: Legal Description of PSE/PUE Reservation  
Exhibit B: Exhibit Plat/Map of Area of 5<sup>th</sup> Street to be Vacated

- Exhibit B-1: Exhibit Area of PUE/PSE Vacation
- Exhibit B-2: Exhibit Area of Sewer PSE Reservation
- Exhibit B-3: Exhibit Area of PSE/PUE Reservation



EXHIBIT "A"  
LEGAL DESCRIPTION

ABANDONMENT OF 5<sup>TH</sup> STREET

Page 1 of 1



**ABANDONMENT OF 5<sup>TH</sup> STREET**

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF 5<sup>TH</sup> STREET AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED 'DISCOVERY CENTRE' RECORDED IN BOOK 158 OF PARCEL MAPS, AT PAGE 12, OFFICIAL RECORDS OF SACRAMENTO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF PARCEL 5, AS SHOWN ON SAID MAP, THENCE FROM SAID POINT OF COMMENCEMENT ALONG THE NORTHEASTERLY LINE OF SAID PARCEL NORTH 42°43'16" WEST, 131.87 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF 5<sup>TH</sup> STREET AND A POINT ON THE NORTHEASTERLY LINE OF SAID PARCEL;

THENCE, FROM SAID TRUE POINT OF BEGINNING ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID 5<sup>TH</sup> STREET SOUTH 18°23'42" WEST, 84.02 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, SUBTENDED BY A CHORD BEARING SOUTH 27°42'20" EAST, 36.03 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF BANNON STREET; THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF BANNON STREET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1048.00 FEET, SUBTENDED BY A CHORD BEARING NORTH 77°17'46" WEST, 127.59 FEET; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID 5<sup>TH</sup> STREET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, SUBTENDED BY A CHORD BEARING NORTH 58°48'47" EAST, 32.41 FEET; THENCE NORTH 18°23'42" EAST, 88.60 FEET; THENCE NORTH 16°06'15" EAST, 100.08 FEET; THENCE NORTH 18°23'42" EAST, 170.00 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, SUBTENDED BY A CHORD BEARING NORTH 34°58'46" WEST, 40.13 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF RICHARDS BOULEVARD; THENCE ALONG THE SOUTHERLY RIGHT OF WAY LINE OF RICHARDS BOULEVARD ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 952.00 FEET, SUBTENDED BY A CHORD BEARING SOUTH 85°04'13" EAST, 109.20 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT OF WAY LINE ALONG THE EASTERLY BOUNDARY OF SAID MAP SOUTH 18°23'42" WEST, 305.47 FEET; THENCE SOUTH 42°43'16" EAST, 11.42 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.733 ACRE OF LAND, MORE OR LESS.

THE MERIDIAN SHOWN HEREON IS BASED UPON THE CALIFORNIA COORDINATE SYSTEM, ZONE 2 (NAD83, 1991.35).



**EXHIBIT "A-1"**

**LEGAL DESCRIPTION**

**ABANDONMENT OF 5<sup>TH</sup> STREET**

**(PUBLIC UTILITY EASEMENT/PUBLIC SERVICE EASEMENT ABANDONMENT)**

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**AREA 1**

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF PARCEL 4 AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED "DISCOVERY CENTRE" RECORDED IN BOOK 158 OF PARCEL MAPS, AT PAGE 12, OFFICIAL RECORDS OF SACRAMENTO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF PARCEL 5, AS SHOWN ON SAID MAP; THENCE FROM SAID POINT OF COMMENCEMENT ALONG THE NORTHEASTERLY LINE OF SAID PARCEL NORTH 42°43'16" WEST, 17.59 FEET TO THE TRUE POINT OF BEGINNING.

THENCE, FROM SAID TRUE POINT OF BEGINNING SOUTH 18°23'42" WEST, 77.12 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 12.50 FEET, SUBTENDED BY A CHORD BEARING SOUTH 27°42'20" EAST, 18.02 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,060.50 FEET, SUBTENDED BY A CHORD BEARING NORTH 74°23'30" WEST, 21.52 FEET; TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF 5<sup>TH</sup> STREET; THENCE ALONG THE EASTERLY RIGHT OF WAY LINE OF 5<sup>TH</sup> STREET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, SUBTENDED BY A CHORD BEARING NORTH 02°00'15" EAST, 14.11 FEET; THENCE NORTH 18°23'42" EAST, 84.02 FEET TO A POINT ON THE EASTERLY BOUNDARY OF SAID PARCEL MAP; THENCE ALONG THE EASTERLY BOUNDARY OF SAID PARCEL MAP SOUTH 42°43'16" EAST, 14.28 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 1,193.95 SQUARE FEET OF LAND, MORE OR LESS.



EXHIBIT "A-1"

LEGAL DESCRIPTION

ABANDONMENT OF 5<sup>TH</sup> STREET

(PUBLIC UTILITY EASEMENT/PUBLIC SERVICE EASEMENT ABANDONMENT)

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AREA 2

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF PARCEL 4 AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED 'DISCOVERY CENTRE' RECORDED IN BOOK 158 OF PARCEL MAPS, AT PAGE 12, OFFICIAL RECORDS OF SACRAMENTO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF PARCEL 5, AS SHOWN ON SAID MAP; THENCE FROM SAID POINT OF COMMENCEMENT ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL SOUTH 47°16'44" WEST, 50.79 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF BANNON STREET AND A POINT ON THE SOUTHEASTERLY LINE OF SAID PARCEL; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE NORTH 71°43'39" WEST, 26.96 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,048.00 FEET, SUBTENDED BY A CHORD BEARING NORTH 76°15'26" WEST, 165.52; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE, ALONG THE WESTERLY RIGHT OF WAY LINE OF 5<sup>TH</sup> STREET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, SUBTENDED BY A CHORD BEARING NORTH 69°30'03" EAST, 24.73 FEET TO THE TRUE POINT OF BEGINNING.

THENCE, FROM SAID TRUE POINT OF BEGINNING LEAVING SAID WESTERLY RIGHT OF WAY LINE OF 5<sup>TH</sup> STREET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,080.50 FEET, SUBTENDED BY A CHORD BEARING NORTH 80°12'23" WEST, 21.52 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 12.50 FEET, SUBTENDED BY A CHORD BEARING NORTH 58°48'21" EAST, 16.20 FEET; THENCE NORTH 18°23'42" EAST, 9.90 FEET; THENCE SOUTH 71°36'18" EAST, 10.50 FEET; THENCE NORTH 18°23'42" EAST, 78.66 FEET; THENCE NORTH 16°06'15" EAST, 100.08 FEET; THENCE NORTH 18°23'42" EAST, 161.51 FEET; THENCE NORTH 71°36'18" WEST, 10.50 FEET; THENCE NORTH 18°23'42" EAST, 8.53 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 12.50 FEET, SUBTENDED BY A CHORD BEARING NORTH 34°58'55" WEST, 20.07 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 939.50 FEET, SUBTENDED BY A CHORD BEARING SOUTH 87°41'39" EAST, 21.80 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID 5<sup>TH</sup> STREET; THENCE ALONG WESTERLY RIGHT OF WAY LINE OF SAID 5<sup>TH</sup> STREET ALONG THE ARC

**EXHIBIT "A-1"**

**LEGAL DESCRIPTION**

**ABANDONMENT OF 5<sup>TH</sup> STREET**

**(PUBLIC UTILITY EASEMENT/PUBLIC SERVICE EASEMENT ABANDONMENT)**

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**AREA 2 CONTINUED**

OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, SUBTENDED BY A CHORD BEARING SOUTH 04°38'51" EAST, 19.57 FEET; THENCE SOUTH 18°23'42" WEST, 170.00 FEET; THENCE SOUTH 16°06'15" WEST, 100.08 FEET; THENCE SOUTH 18°23'42" WEST, 88.60 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, SUBTENDED BY A CHORD BEARING SOUTH 29°05'42" WEST, 9.28 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 1,204.06 SQUARE FEET OF LAND, MORE OR LESS.

THE MERIDIAN SHOWN HEREON IS BASED UPON THE CALIFORNIA COORDINATE SYSTEM, ZONE 2 (NAD83, 1991.35).



EXHIBIT "A-2"  
LEGAL DESCRIPTION  
ABANDONMENT OF 5<sup>TH</sup> STREET  
(SEWER PUBLIC SERVICE EASEMENT RESERVATION)

Page 1 of 1

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF 5<sup>TH</sup> STREET AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED "DISCOVERY CENTRE" RECORDED IN BOOK 158 OF PARCEL MAPS, AT PAGE 12, OFFICIAL RECORDS OF SACRAMENTO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF PARCEL 5, AS SHOWN ON SAID MAP; THENCE FROM SAID POINT OF COMMENCEMENT ALONG THE NORTHEASTERLY LINE OF SAID PARCEL 5 AND EASTERLY RIGHT OF WAY LINE OF 5<sup>TH</sup> STREET NORTH 42°43'16" WEST, 143.28 FEET; THENCE NORTH 18°23'42" EAST, 292.77 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 939.50 FEET, SUBTENDED BY A CHORD BEARING NORTH 82°51'38" WEST, 30.85 FEET TO THE TRUE POINT OF BEGINNING.

THENCE, FROM SAID TRUE POINT OF BEGINNING SOUTH 18°14'18" WEST, 340.88 FEET; THENCE SOUTH 26°12'19" WEST, 53.63 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,060.50 FEET, SUBTENDED BY A CHORD BEARING NORTH 78°16'21" WEST, 20.66 FEET; THENCE NORTH 25°12'19" EAST, 57.40 FEET; THENCE NORTH 18°14'18" EAST, 334.99 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 939.50 FEET, SUBTENDED BY A CHORD BEARING SOUTH 84°25'35" EAST, 20.50 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 7,869.10 SQUARE FEET OF LAND, MORE OR LESS.

THE MERIDIAN SHOWN HEREON IS BASED UPON THE CALIFORNIA COORDINATE SYSTEM, ZONE 2 (NAD83, 1991.35).





**EXHIBIT "A-3"**

**LEGAL DESCRIPTION**

**ABANDONMENT OF 5<sup>TH</sup> STREET**

**(PUBLIC SERVICE EASEMENT/PUBLIC UTILITY EASEMENT RESERVATION)**

Page 1 of 2

**AREA 1**

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF 5<sup>TH</sup> STREET AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED 'DISCOVERY CENTRE' RECORDED IN BOOK 158 OF PARCEL MAPS, AT PAGE 12, OFFICIAL RECORDS OF SACRAMENTO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF PARCEL 5, AS SHOWN ON SAID MAP; THENCE FROM SAID POINT OF COMMENCEMENT ALONG THE NORTHEASTERLY LINE OF SAID PARCEL 5 AND EASTERLY RIGHT OF WAY LINE OF 5<sup>TH</sup> STREET NORTH 42°43'16" WEST, 143.29 FEET; THENCE NORTH 18°23'42" EAST, 292.77 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING ON THE EASTERLY RIGHT OF WAY LINE OF 5<sup>TH</sup> STREET;

THENCE, FROM SAID TRUE POINT OF BEGINNING 12.50 FEET SOUTH OF AND PARALLEL TO THE SOUTHERLY RIGHT OF WAY LINE OF RICHARDS BOULEVARD ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 939.50 FEET, SUBTENDED BY A CHORD BEARING NORTH 84°28'28" WEST, 83.76 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF 5<sup>TH</sup> STREET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, SUBTENDED BY A CHORD BEARING NORTH 58°01'35" WEST, 25.25 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF RICHARDS BOULEVARD; THENCE ALONG THE SOUTHERLY RIGHT OF WAY LINE OF RICHARDS BOULEVARD ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 952.00 FEET, SUBTENDED BY A CHORD BEARING SOUTH 85°04'14" EAST, 109.20 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT OF WAY LINE ALONG THE EASTERLY RIGHT OF WAY LINE OF 5<sup>TH</sup> STREET SOUTH 18°23'42" WEST, 12.70 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 1,149.03 SQUARE FEET OF LAND, MORE OR LESS.



**EXHIBIT "A-3"**

**LEGAL DESCRIPTION**

**ABANDONMENT OF 5<sup>TH</sup> STREET**

**(PUBLIC SERVICE EASEMENT/PUBLIC UTILITY EASEMENT RESERVATION)**

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**AREA 2**

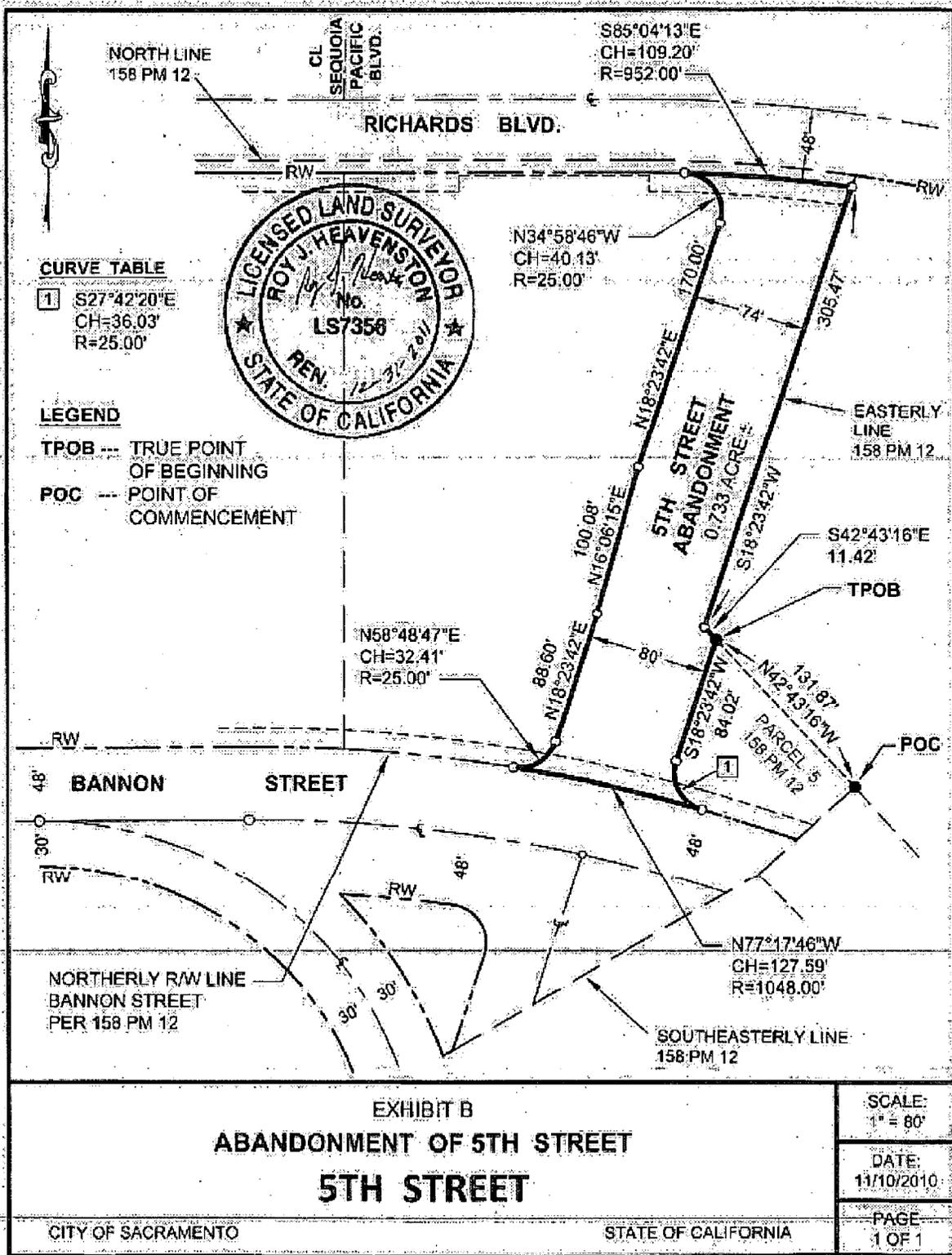
ALL THAT REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF 5<sup>TH</sup> STREET AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED "DISCOVERY CENTRE" RECORDED IN BOOK 158 OF PARCEL MAPS, AT PAGE 12, OFFICIAL RECORDS OF SACRAMENTO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF PARCEL 5, AS SHOWN ON SAID MAP; THENCE FROM SAID POINT OF COMMENCEMENT ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL SOUTH 47°16'44" WEST, 50.79 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF BANNON STREET AND THE EASTERLY BOUNDARY OF SAID PARCEL MAP; THENCE NORTH 71°43'39" WEST, 26.96 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,048.00 FEET, SUBTENDED BY A CHORD BEARING NORTH 72°46'00" WEST, 38.02 FEET TO THE TRUE POINT OF BEGINNING.

THENCE, FROM SAID TRUE POINT OF BEGINNING AND CONTINUING ALONG THE NORTHERLY RIGHT OF WAY LINE OF BANNON STREET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,048.00 FEET, SUBTENDED BY A CHORD BEARING NORTH 77°17'45" WEST, 127.59 FEET; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID 5<sup>TH</sup> STREET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, SUBTENDED BY A CHORD BEARING NORTH 69°30'03" EAST, 24.78 FEET; THENCE LEAVING SAID WESTERLY RIGHT WAY LINE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,060.50 FEET, SUBTENDED BY A CHORD BEARING SOUTH 77°17'57" EAST, 86.12 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF 5<sup>TH</sup> STREET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, SUBTENDED BY A CHORD BEARING SOUTH 44°06'16" EAST, 24.78 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 1,224.42 SQUARE FEET OF LAND, MORE OR LESS.

THE MERIDIAN SHOWN HEREON IS BASED UPON THE CALIFORNIA COORDINATE SYSTEM, ZONE 2 (NAD83, 1991.35).



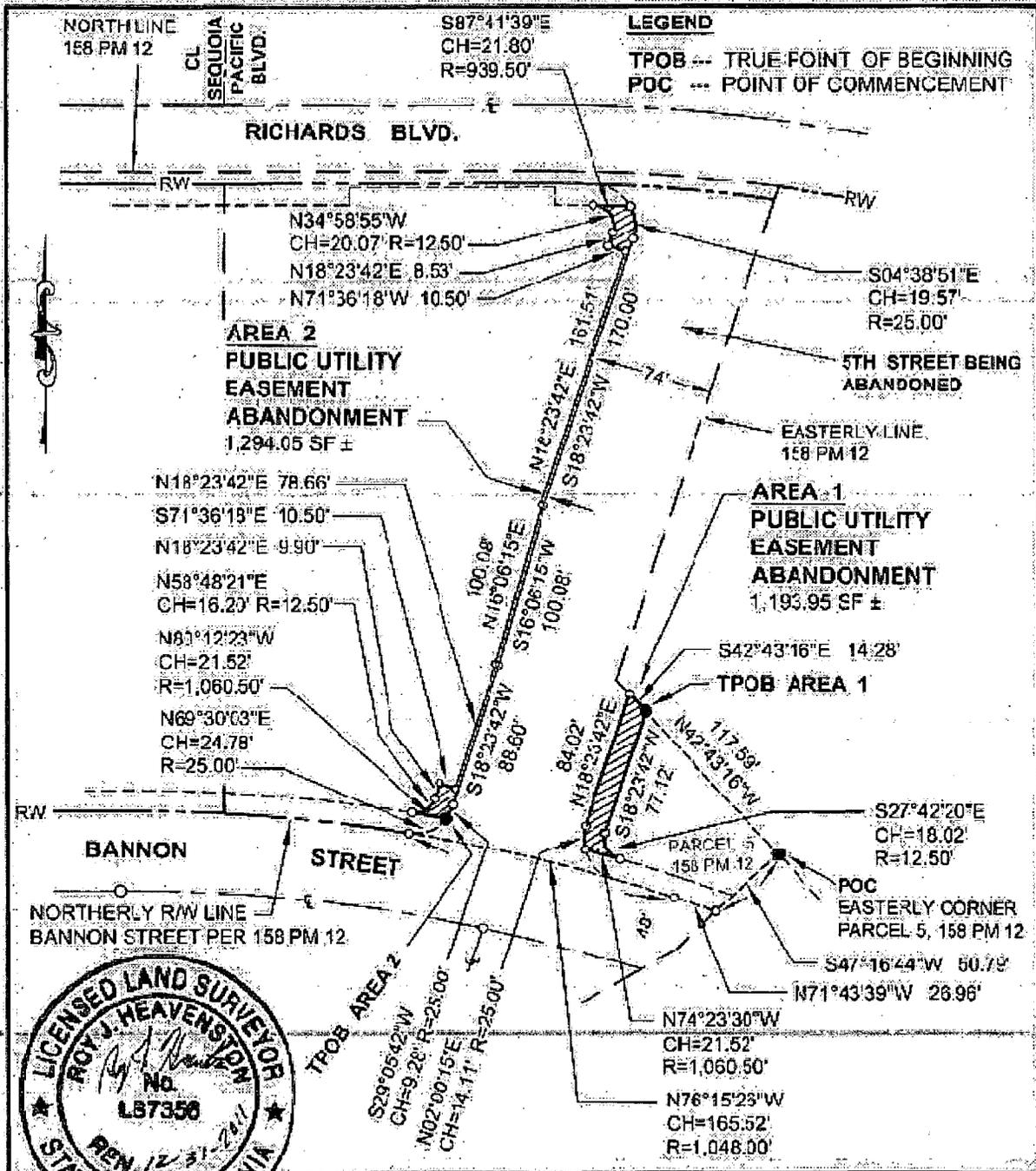
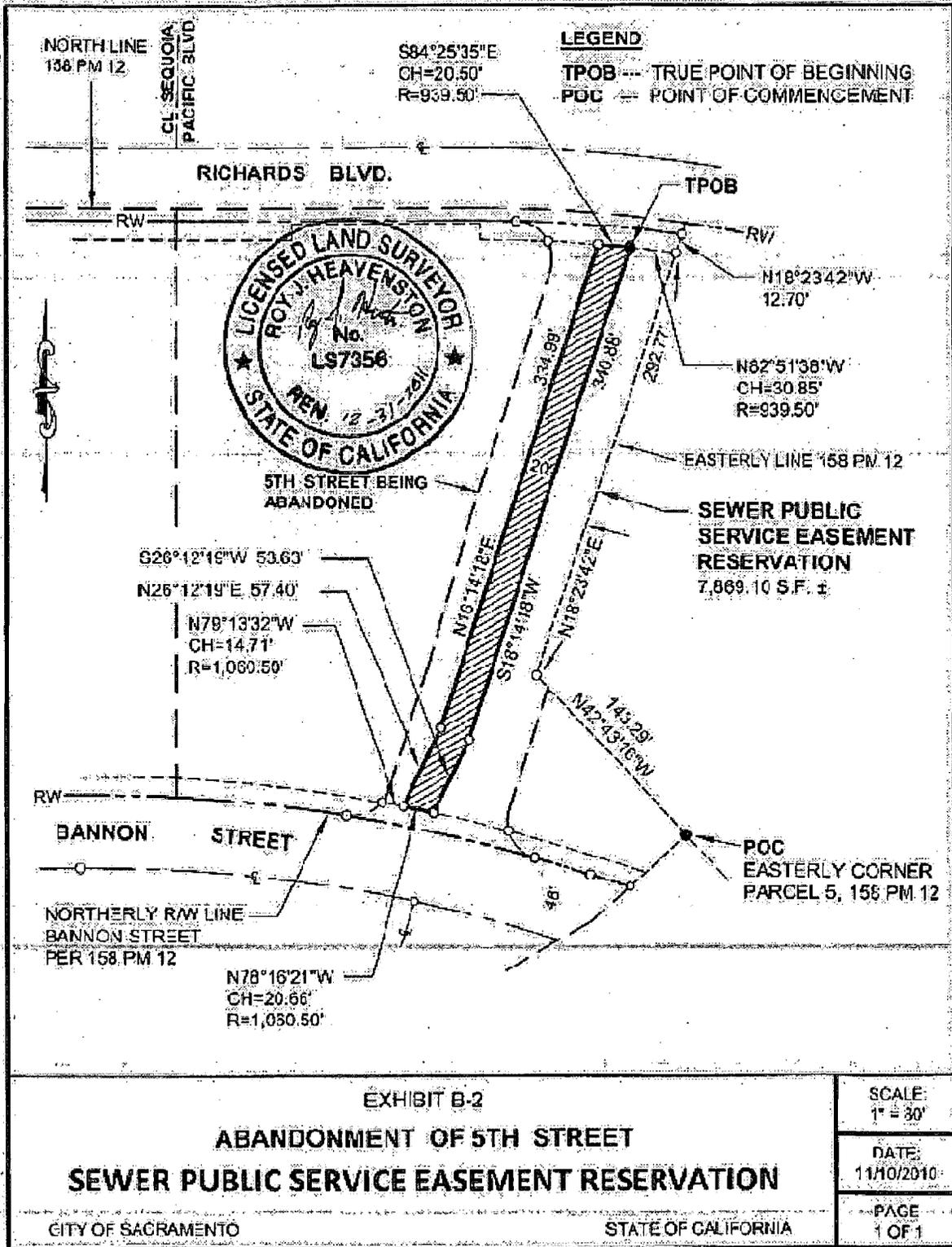


EXHIBIT B-1  
**ABANDONMENT OF 5TH STREET**  
**PUBLIC UTILITY EASEMENT ABANDONMENT**

SCALE: 1" = 80'
DATE: 11/10/2010
PAGE: 1 OF 1

CITY OF SACRAMENTO

STATE OF CALIFORNIA



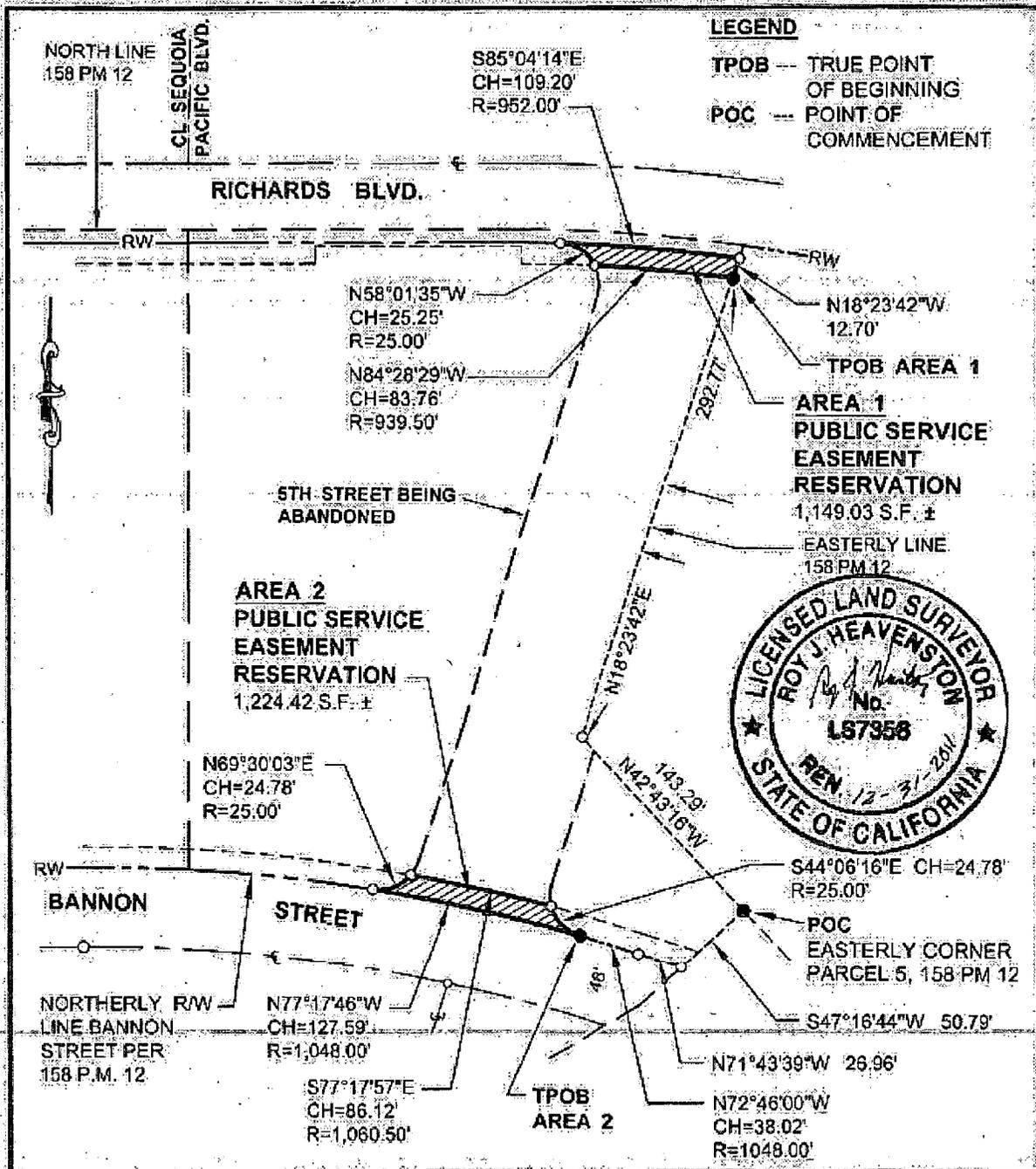


EXHIBIT B-3		SCALE: 1" = 80'
<b>ABANDONMENT OF 5TH STREET PUBLIC SERVICE EASEMENT RESERVATION</b>		DATE: 11/10/2010
CITY OF SACRAMENTO	STATE OF CALIFORNIA	PAGE 1 OF 1