



City of Sacramento City Council

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

Meeting Date: 2/15/2011

Report Type: Consent

Title: Summary Vacation of a Portion of 11th Street between "B" and "C" Streets, "B" Street between 12th and 11th Streets, and the East/West Alley Bounded by 10th and 11th Streets South of "C" Street

Report ID: 2011-00102

Location: District 1

Recommendation: Adopt the attached Resolution vacating portions of 11th and "B" streets and the alley located between 10th and 11th Street North of "C" Street.

Contact: Thomas Adams, Engineering Technician, (916) 808-7929; Jerry Lovato, Senior Engineering Technician, (916) 808-7918

Presenter:

Department: Transportation Department

Division: Development Engineering

Dept ID: 15001151

Attachments:

- 1-Description/Analysis
- 2 - Background Information
- 3 - Location Map
- 4 - Resolution
- 5 - Exhibit A - Legal Description
- 6 - Exhibit B - Plat Map Right of Way

City Attorney Review

Approved as to Form
Paul Gale
02/02/2011 12:26:00 PM

City Treasurer Review

Prior Council Financial Policy Approval or
Outside City Treasurer Scope
Janelle Gray
1/26/2011 4:43:29 PM

Approvals/Acknowledgements

Department Director or Designee: Jerry Way - 1/31/2011 3:24:57 PM

Assistant City Manager: John Dangberg - 2/2/2011 12:48:12 PM

Eileen Teichert, City Attorney

Shirley Concolino, City Clerk
Gus Vina, Interim City Manager

Russell Fehr, City Treasurer



Description/Analysis

Issue: JTS Engineering Consultants, Inc. on behalf of the property owners at 200 11th Street has requested the vacation of a portion of 11th Street, B Street, and alley west of the Globe Mills mixed-use project located at 12th and “C” Streets. The subject area will be utilized as extra maneuvering space for the adjacent parcels.

Policy Considerations: The Council action recommended in this report is consistent with the 2030 General Plan 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): Status is exempt under Section 15061(b)(3) in which this activity has no potential of causing any significant effect on the environment.

Sustainability: None

Commission/Committee Action: None

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

Financial Considerations: The owner/applicant is responsible for all fees required to process this application. There is no cost to the City.

Emerging Small Business Development (ESBD): None



Background

JTS Engineering on behalf of the property owners of 200 11th Street has requested the vacation of portions of 11th Street, “B” Street and the alley North of “C” Street between 10th and 11th Streets. The subject areas to be vacated will be utilized as ingress and egress access and maneuvering for the adjacent properties. Currently there are no planned development applications submitted to the City of Sacramento for the subject areas requested for vacation.

The subject areas being vacated are located adjacent to the recently demolished Crystal Creamery plant and the historic Globe Mills site with the newly developed mixed-income housing project. The City’s Department of Transportation acknowledges that the subject areas will not be required for future access by the public and has no objections to the vacation request. A Public Service Easement (also known as Public Utility Easement) will be reserved over all areas being requested for vacation excluding portions of 11th Street and “B” Street.

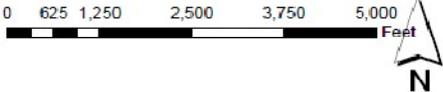
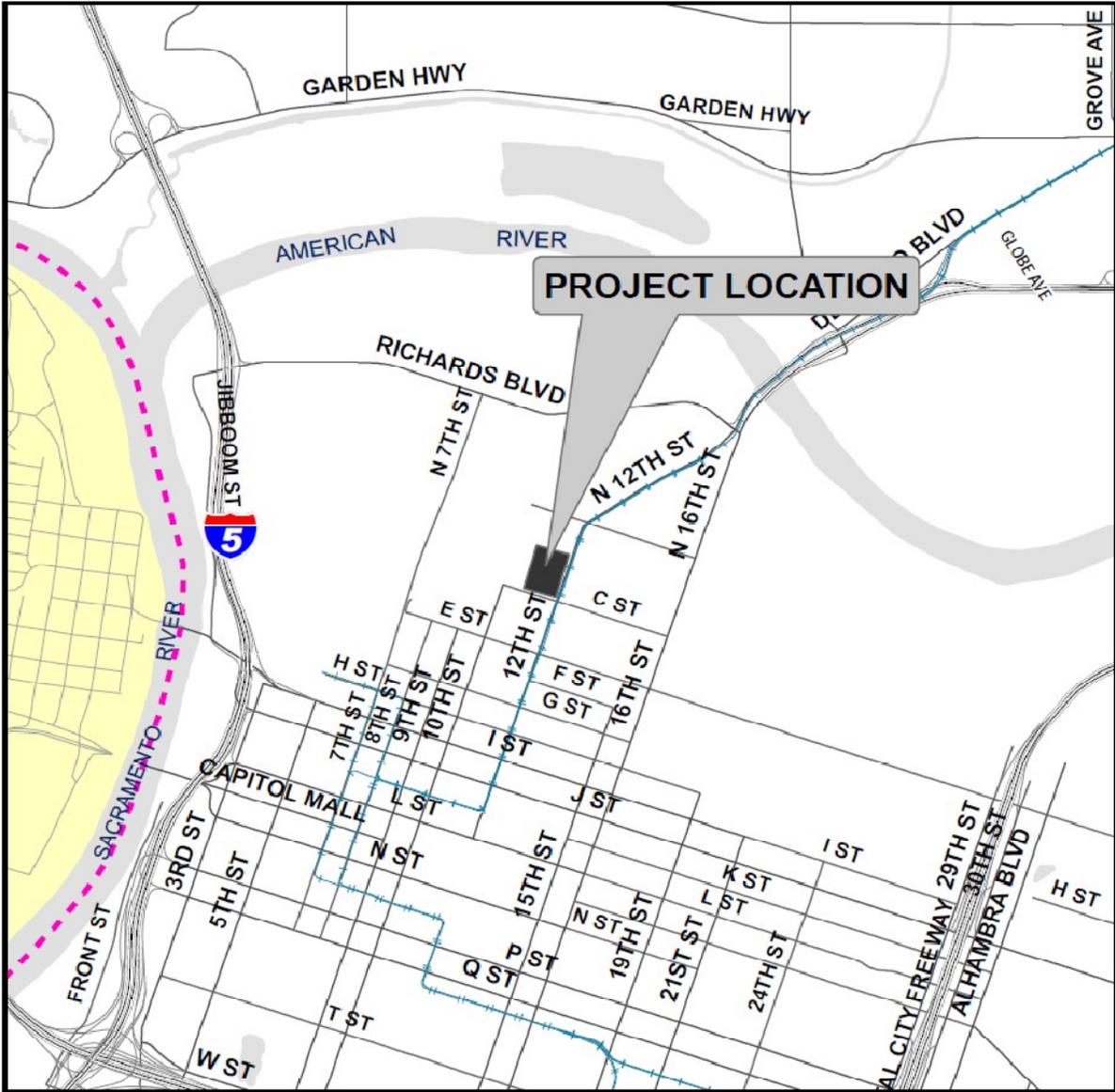
The applicant has submitted all documents required by the City of Sacramento’s Department of Transportation to process this request. All affected City departments and utility agencies have reviewed this request and support the proposed vacation request.

The applicant will be required to have proper signage indicating that the subject portion of 11th Street as “Private Property.”

If approved, the vacation of this subject area will be recorded after all conditions and fees have been satisfied.



LOCATION MAP FOR
Right of Ways 11th and B Streets and Alleyway





RESOLUTION NO.

Adopted by the Sacramento City Council

**VACATION OF A PORTION OF 11TH STREET BETWEEN “B” AND “C” STREETS, “B” STREET BETWEEN 12TH AND 11TH STREETS AND THE EAST/WEST ALLEY BOUNDED BETWEEN 10TH AND 11TH STREETS NORTH OF “C” STREET, WITHIN COUNCIL DISTRICT 1
VACATION PROCEEDING NO. VAC 10-0007**

BACKGROUND

- A. JTS Engineering Consultants, Inc., on behalf of the property owner located at 200 11th Street, has requested the vacation of a portion of 11th Street, “B” Street and alley bounded between 10th and 11th Streets north of “C” Street.
- 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 and subject to the conditions in Section 5, the right of ways at 11th Street, “B” Street and the Alley bounded between 10th and 11th Street south of “C” Street within Council District 1, more specifically described in the attached Exhibit A and Exhibit B of this resolution are vacated.
- Section 2. Pursuant to Streets and Highways Code Sections 8306 and 8340, the City of Sacramento reserves a public service easement (public utility easement) along the vacated portions of the right of ways which are more specifically described in the attached Exhibit A and Exhibit 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 right of way within Council District 1, more specifically described in Exhibit A and Exhibit B is made pursuant to

California Streets and Highways Code, Division 9, Part 3, Chapter 4. Pursuant to California Streets and Highways Code Section 8334(a), the right of ways more specifically described in Exhibit A and Exhibit B is excess right of way not needed for street or highway purposes.

- Section 4. This vacation was submitted to and reported on by the City'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 owner must have a "Private Property" sign on 11th Street at the entrance of the subject area being vacated.
- 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. Upon completion of all the conditions in Section 5 above and payment of any required fees, the City Clerk shall cause a certified copy of this Resolution, attested to by the City Clerk under seal, to be recorded with the Sacramento County Recorder's Office. The vacation shall be effective when the City Clerk records this Resolution with the Sacramento County Recorder.
- Section 8. Exhibits A and B are incorporated into and made part of this Resolution.

Table of Contents:

- Exhibit A: Legal Description of Right of Way
Exhibit B: Exhibit Plat/Map Right of Way



EXHIBIT "A"
PAGE 1 OF 2

**LEGAL DESCRIPTION
OF
ABANDONMENT OF PORTIONS OF 11TH STREET, "B" STREET AND ALLEY**

ALL THAT CERTAIN PROPERTY SITUATED IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, BEING PORTIONS OF 11TH STREET, "B" STREET AND ALLEY IN THE BLOCK BOUNDED BY "B", "C", 10TH AND 11TH STREETS, ACCORDING TO THE OFFICIAL MAP OR PLAT OF CITY OF SACRAMENTO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ITEM 1:
(ABANDONMENT OF 11TH STREET PUBLIC ROAD EASEMENT AND PUBLIC UTILITY EASEMENT)

BEING ALL THAT PORTION OF SAID 11TH STREET LYING NORTHERLY OF THE NORTHERLY LINE OF THE ALLEY BETWEEN "B" AND "C" STREETS AND SOUTHERLY OF THE SOUTHERLY RIGHT-OF-WAY OF THE SOUTHERN PACIFIC RAILROAD;
EXCEPTING THEREFROM THE SOUTHERLY 5.00 (FIVE) FEET.

ITEM 2:
(ABANDONMENT OF 11TH STREET PUBLIC ROAD EASEMENT AND RESERVING PUBLIC UTILITY EASEMENT)

BEING THE SOUTHERLY 5.00 (FIVE) FEET OF THAT PORTION OF SAID 11TH STREET LYING NORTHERLY OF THE NORTHERLY LINE OF THE ALLEY BETWEEN "B" AND "C" STREETS AND SOUTHERLY OF THE SOUTHERLY RIGHT-OF-WAY OF THE SOUTHERN PACIFIC RAILROAD.

ITEM 3:
(ABANDONMENT OF ALLEY AND RESERVING PUBLIC UTILITY EASEMENT)

BEING ALL THAT PORTION OF THE ALLEY IN THE BLOCK BOUNDED BY "B", "C", 10TH AND 11TH STREETS OF THE CITY OF SACRAMENTO, ACCORDING TO THE OFFICIAL MAP OR PLAT THEREOF.

EXHIBIT "A"
PAGE 2 OF 2

ITEM 4:

(ABANDONMENT OF "B" STREET PUBLIC ROAD EASEMENT AND PUBLIC UTILITY EASEMENT)

BEING ALL THAT PORTION OF SAID "B" STREET LOCATED BETWEEN 11TH STREET AND 12TH STREET AND LYING SOUTHERLY OF THE SOUTHERN PACIFIC RAILROAD;
EXCEPTING THEREFROM THE EASTERLY 50.00 FEET.

ITEM 5:

(ABANDONMENT OF "B" STREET PUBLIC ROAD EASEMENT AND RESERVING PUBLIC UTILITY EASEMENT)

BEING THE EASTERLY 50.00 FEET OF THAT PORTION OF SAID "B" STREET LOCATED BETWEEN 11TH STREET AND 12TH STREET AND LYING SOUTHERLY OF THE SOUTHERLY RIGHT-OF-WAY OF THE SOUTHERN PACIFIC RAILROAD.

END OF LEGAL DESCRIPTION

PREPARED FROM RECORD DATA
BY JTS ENGINEERING CONSULTANTS INC.



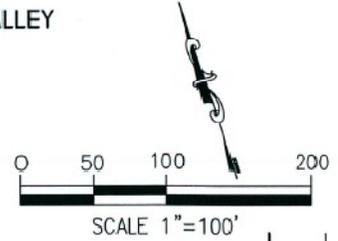


CITY OF SACRAMENTO
SHEET 1 OF 1

EXHIBIT "B" ABANDONMENT EXHIBIT

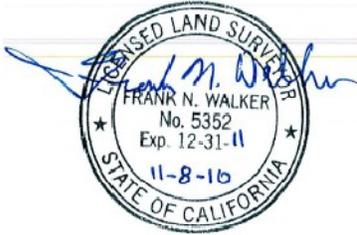
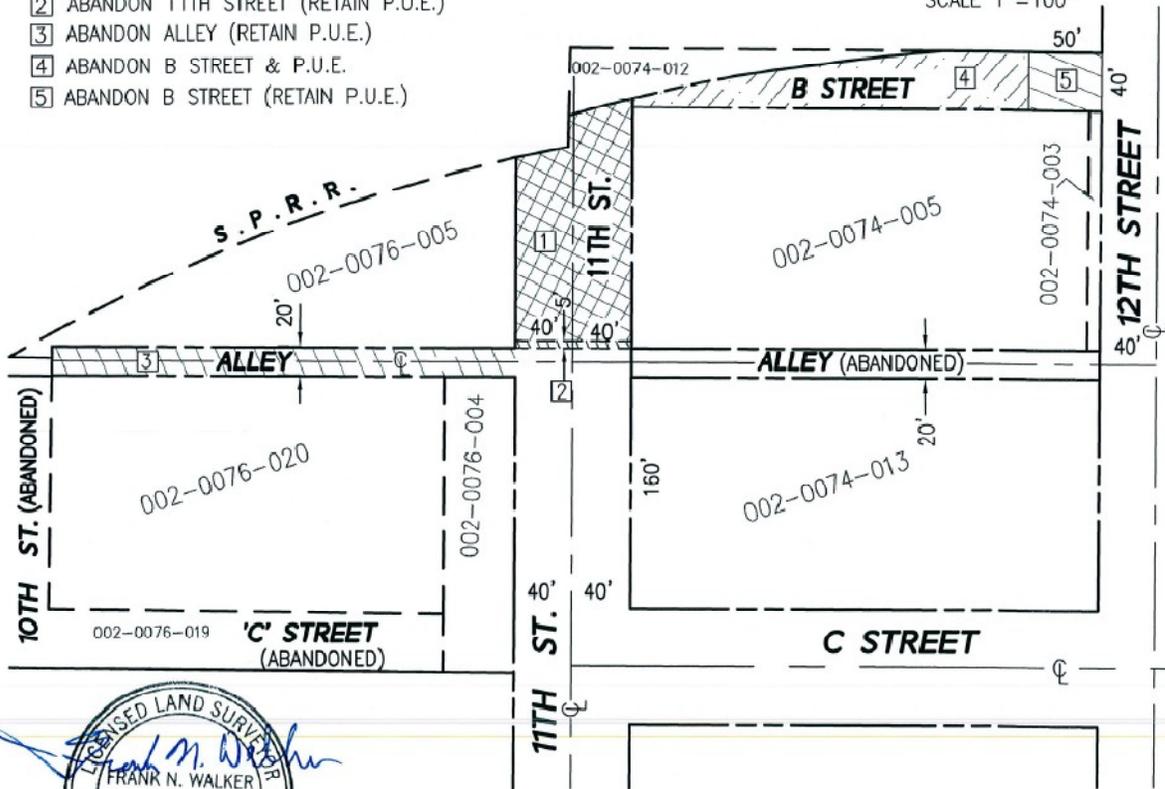
CALIFORNIA
NOVEMBER 2010

PORTIONS OF 11TH STREET, 'B' STREET AND ALLEY



REQUESTS TO:

- 1 ABANDON 11TH STREET & P.U.E.
- 2 ABANDON 11TH STREET (RETAIN P.U.E.)
- 3 ABANDON ALLEY (RETAIN P.U.E.)
- 4 ABANDON B STREET & P.U.E.
- 5 ABANDON B STREET (RETAIN P.U.E.)



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

FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____