

Meeting Date: 6/24/2014

Report Type: Consent

Report ID: 2014-00451

Title: Summary Vacation of Two Public Road Easements at Grace Avenue and Rio Linda Boulevard

Location: East of Rio Linda Boulevard at Grace Avenue, District 2

Recommendation: Pass a Resolution vacating a portion of the public road easement adjacent to Rio Linda Boulevard between Bell Avenue and Main Avenue and a portion of Grace Avenue west of May Street.

Contact: Thomas Adams, Engineering Technician, (916) 808-7929; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

Presenter: None

Department: Public Works Department

Division: Engineering Services Admin

Dept ID: 15001111

Attachments:

- 1-Description/Analysis
- 2-Attachment 1 (Location Map)
- 3-Attachment 2 (Site Development Map)
- 4-Resolution
- 5-Exhibit A (Legal Description Grace Ave Public Road Easement)
- 6-Exhibit B (Exhibit Plat Map of Area to be Vacated)
- 7-Exhibit C (Legal Description Rio Linda Blvd Public Road Easement)
- 8-Exhibit D (Exhibit Plat Map of Area to be Vacated)

City Attorney Review

Approved as to Form
Paul Gale
6/10/2014 12:09:57 PM

Approvals/Acknowledgements

Department Director or Designee: Jerry Way - 6/5/2014 3:03:08 PM

Description/Analysis

Issue: Gateway Community Charters is requesting the vacation of the Grace Avenue public road easement between Rio Linda Boulevard and May Street, along with a 30 foot portion of the public road easement east of the Rio Linda Boulevard bike path between Bell Avenue and Main Avenue. Grace Avenue between Rio Linda Boulevard and May Street is not a paved road and there currently is no vehicular access at this location.

The vacated areas will be part of a proposed K-12 Charter School. Grace Avenue will be relocated 85 feet to the north to provide a new connection from Rio Linda Boulevard to May Street that will allow public access to the school and connecting streets.

A condition has been placed on the proposed abandonment to dedicate a public road easement to the satisfaction of the City of Sacramento's Public Works Department. There will be no easement reservations within the vacated areas and all new utilities services will be accessible with new easement dedications.

The proposed summary vacation satisfies the requirements of Streets and Highways Code Section 8331, the streets have been impassable for vehicular travel for a period of five years and no public funds have been expended for maintenance of the streets during such five year period.

Staff has reviewed the vacation request and recommends that the city council grant the proposed vacations along with the conditions stated in the attached proposed resolution.

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 Section 8331.

Economic Impacts: None

Environmental Considerations:

California Environmental Quality Act (CEQA): The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that this vacation is exempt under Section 15305 in which this project consists of minor alteration of land use which does not result in any changes to land use or density.

Sustainability Considerations: None

Committee/Commission Action: None

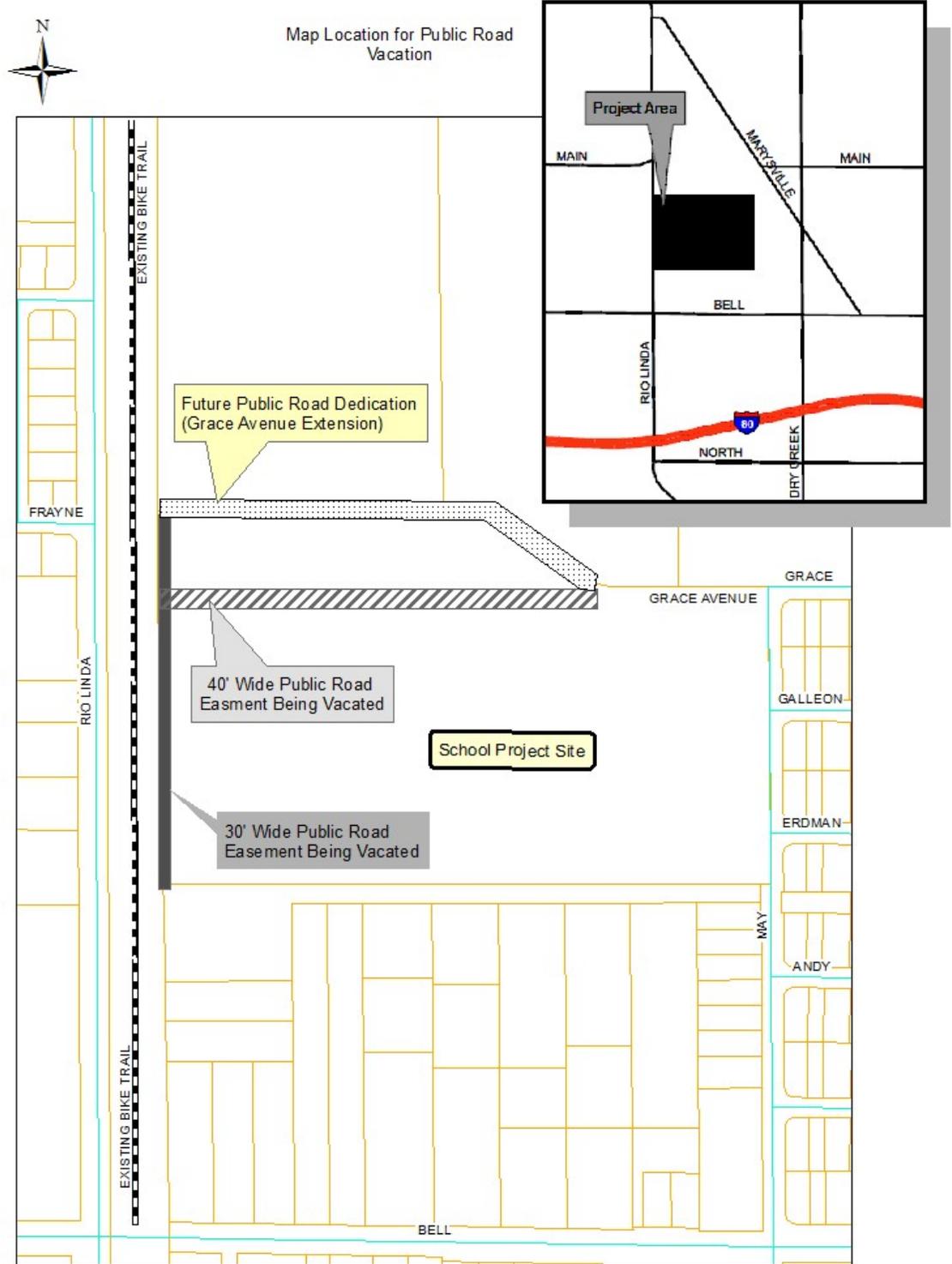
Rationale for Recommendation: The areas of vacation are not currently accessible to vehicles or pedestrians. As a condition of this vacation request, a new 65-foot-wide public road easement dedication will be required for the extension of Grace Avenue which allows vehicular and pedestrian access and will be constructed at the property owner's expense. In addition, the vacated area will provide the space needed to construct a new school which will benefit this north area community. Staff supports this vacation request.

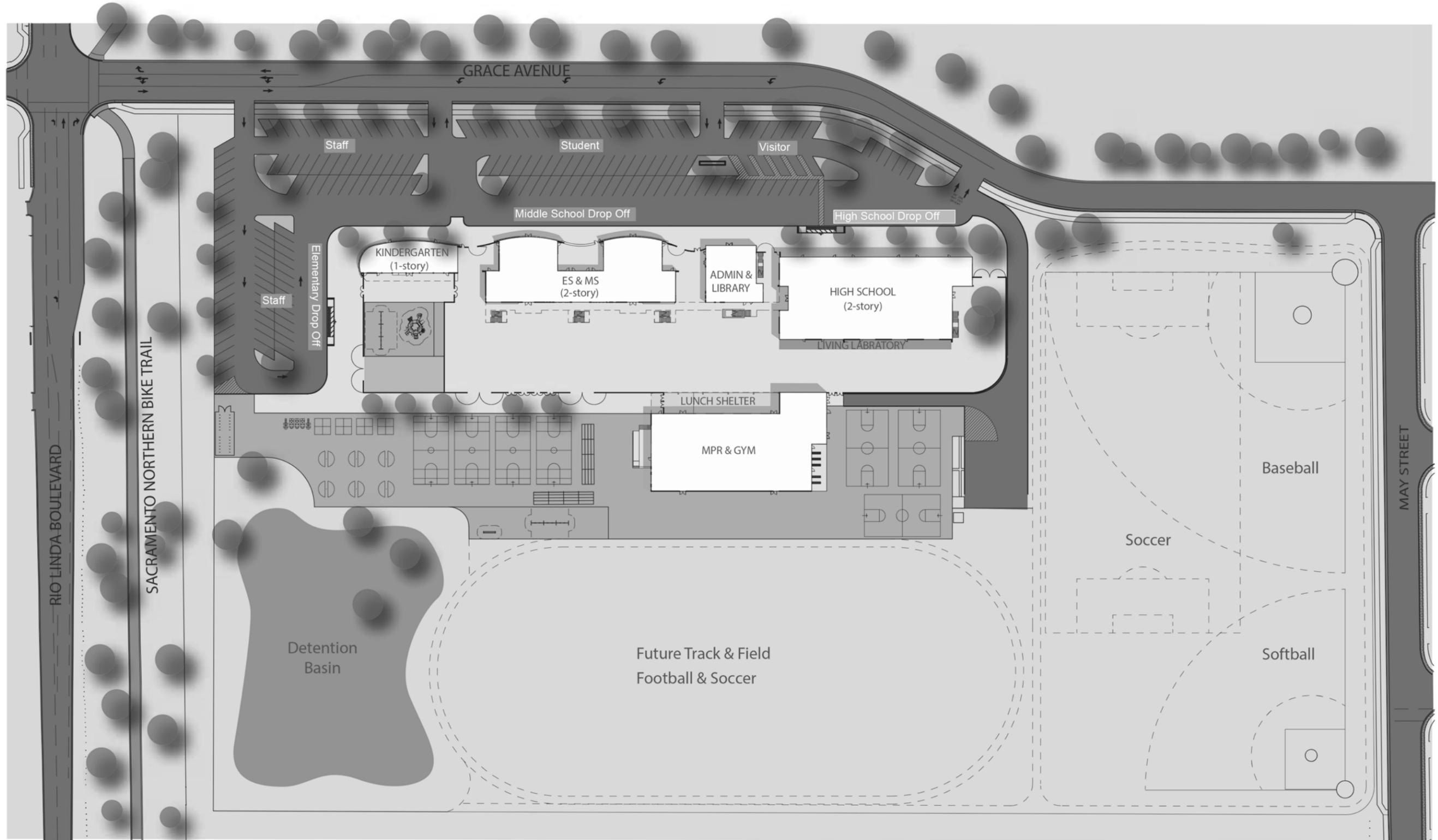
Financial Considerations: The applicant is responsible for all fees required to process the application and there is no cost to the City.

There are no General Funds planned or allocated for this project.

Local Business Enterprise (LBE): Not applicable.

Attachment 1





RESOLUTION NO.

Adopted by the Sacramento City Council

SUMMARY VACATION OF TWO PUBLIC ROAD EASEMENTS AT GRACE AVENUE AND RIO LINDA BOULEVARD, WITHIN COUNCIL DISTRICT 2 VACATION PROCEEDING NO. VAC14-0004

BACKGROUND

- A. Gateway Community Charters has requested the vacation of two public road easements to help facilitate the development of a new K thru 12th grade charter school.
- 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. A portion of the public road easements at Grace Avenue and adjacent to Rio Linda Boulevard within Council District 2, more specifically described in Exhibits A, B, C and D of this Resolution are vacated subject to the conditions specified in Section 4.
- Section 2. The vacation of the portions of the public road easements at Grace Avenue and adjacent Rio Linda Boulevard within Council District 2, more specifically described in Exhibits A, B, C and D is made pursuant to State of California Streets and Highways Code, Division 9, Part 3, Chapter 4, Section 8330-8334.
- Section 3. The City Council finds that the vacation has been submitted to and reported on by the City of Sacramento's Planning Director and finds that the vacation is consistent with the 2030 General Plan.
- Section 4. This vacation is subject to the following conditions:
 - a. Applicant will dedicate a public road easement to City of Sacramento to meet improvement requirements to the satisfaction of the Public Works Department.
 - b. Applicant will pay all fees due to process the vacation request.

Section 5. Once the conditions listed in Section 4 of this Resolution has been satisfied, the City Clerk shall cause a certified copy of this Resolution, attested by the City Clerk under seal to be recorded. The vacation shall be effective when the City Clerk records this Resolution with the Sacramento County Recorder.

Section 6. Exhibits A, B, C and D are incorporated into and made part of this resolution.

Table of Contents:

Exhibit A: Legal Description – Grace Avenue Public Road Easement

Exhibit B: Exhibit Plat/Map of Area to be Vacated

Exhibit C: Legal Description – Rio Linda Boulevard Public Road Easement

Exhibit D: Exhibit Plat/Map of Area to be Vacated



3836
May 14, 2014
J.B.

**EXHIBIT A
GRACE AVENUE
PUBLIC ROAD EASEMENT ABANDONMENT**

THAT portion of real property situate in the City of Sacramento, County of Sacramento, State of California, and being a portion of that parcel of land described in the Grant Deed recorded in Book 20120924 of Official Records, at Page 1159, Sacramento County Records, and being more particularly described as follows:

BEGINNING at a point on the West line of said parcel, said point being distant South 01°40'22" East 85.59 feet from the Northwest corner of said parcel to a point on the North line of that Road Easement for Grace Avenue as it appears on the Plat of Subdivision of Section No. 11 of the Rancho Del Paso, filed for record in Book 14 of Maps, at Page 5, Sacramento County Records; thence, from said **POINT OF BEGINNING**, along said North line, North 89°05'17" East 819.52 feet to a point on the North line of said parcel; thence, along said North line the following two (2) courses: (1) South 61°04'57" East 0.25 feet; and (2) along a tangent curve to the left having a radius bearing North 28°55'03" East 150.00 feet, a central angle of 29°49'46", and through an arc length of 78.09 feet; thence, leaving said North line, South 00°54'43" East 20.00 feet to a point on the South line of said Grace Avenue Road Easement; thence, along said South line, South 89°05'17" West 893.82 feet to the West line of said parcel; thence, along said West line, North 01°40'22" West 40.00 feet to the **POINT OF BEGINNING**.

Containing 34,752 square feet (0.80 acre) of land, more or less.

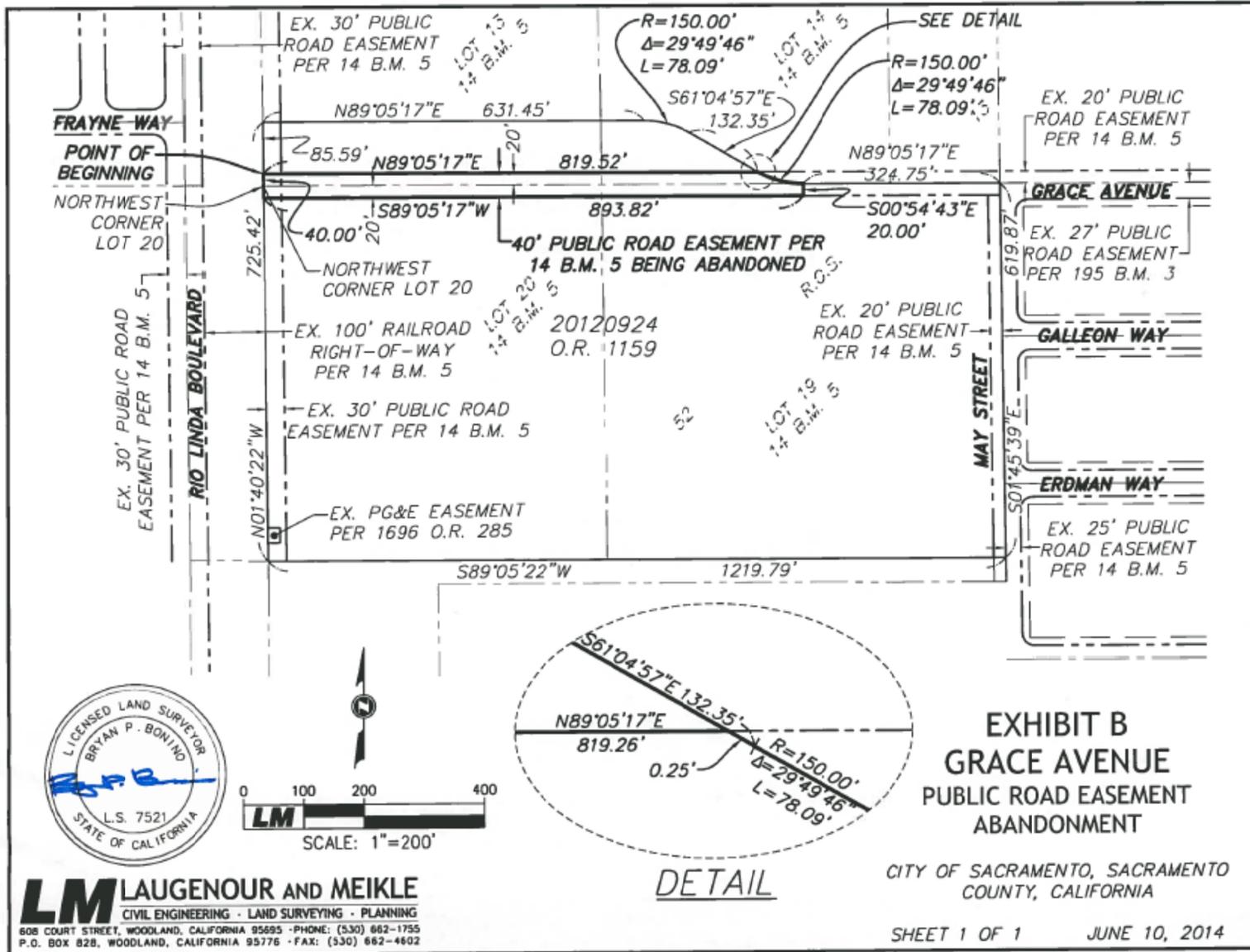
End of description.

This description was prepared by me or under my direction in accordance with Section 8761 of the Professional Land Surveyors' Act.



Bryan P. Bonino

5/14/14
Date





3836
June 3, 2014
J.B.

EXHIBIT C
RIO LINDA BOULEVARD
PUBLIC ROAD EASEMENT ABANDONMENT

THAT portion of real property situate in the City of Sacramento, County of Sacramento, State of California, and being a portion of that parcel of land described in the Grant Deed recorded in Book 20120924 of Official Records, at Page 1159, Sacramento County Records, and being more particularly described as follows:

BEING the westerly 30.00 feet of said parcel of land.

Containing 21,763 square feet (0.50 acres) of land, more or less.

End of description.

This description was prepared by me or under my direction in accordance with Section 8761 of the Professional Land Surveyors' Act.



Bryan P. Bonino 6/3/14
Bryan P. Bonino Date

