

Meeting Date: 4/5/2016

Report Type: Consent

Report ID: 2016-00341

Title: The Summary Vacation of a Portion of the 30 Foot Wide Public Road Easement Adjacent to Rio Linda Boulevard

Location: District 2

Recommendation: Pass a Resolution vacating the public road easement east of Rio Linda Boulevard adjacent to the Northern Sacramento Bike Trail.

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-Resolution

3-Exhibit A - Legal Description & Location Map

City Attorney Review

Approved as to Form

Paul Gale

3/29/2016 1:13:14 PM

Approvals/Acknowledgements

Department Director or Designee: Jerry Way - 3/15/2016 3:54:42 PM

Description/Analysis

Issue Detail: Capstar Holdings Corporation, the adjacent property owner, is requesting the vacation of a portion of the 30 foot wide public road easement that was dedicated in 1913 in the Rancho Del Paso subdivision map filed in Book 14 at Page 5 of the Sacramento County Recorder's Office. This public road easement is located adjacent to the City's Northern Sacramento Bike Trail east of Rio Linda Boulevard. The owner plans to develop a new residential subdivision within their 30 plus acre parcels and utilize the vacated area as part of the development of a new residential subdivision.

Policy Considerations: The Council action recommended in this report is consistent with the 2035 General Plan, and is in compliance with Streets and Highways Code for Summary Vacation Section 8331 in that the area within the public road easement has been impassable for vehicular travel and no public money has been expended to maintain the subject street or highway.

Economic Impacts: None

Environmental Considerations:

California Environmental Quality Act and National Environmental Policy Act (CEQA/NEPA): The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that the vacation of the public road easement is exempt from the provisions of CEQA Section 15305, Minor Alteration in Land Use Limitations. The vacation of the public road easement consists of a minor alteration in land use limitations, which does not result in any changes in land use or density.

Sustainability Considerations: Not applicable.

Commission/Committee Action: None

Rationale for Recommendation: The area of vacation is not currently accessible for public vehicular or pedestrian access. The vacated area will serve as additional developable space to help facilitate a new residential subdivision that will benefit the north area community.

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

Local Business Enterprise (LBE): None.

RESOLUTION NO.

Adopted by the Sacramento City Council

THE SUMMARY VACATION OF A PORTION OF THE 30 FOOT WIDE PUBLIC ROAD EASEMENT ADJACENT TO RIO LINDA BOULEVARD, WITHIN COUNCIL DISTRICT 2 VACATION PROCEEDING NO. VAC 16-0001

BACKGROUND

- A. Capstar Holdings Corporation, has requested the vacation of the public road easement to help facilitate the future development of a residential subdivision.
- B. The City of Sacramento's Planning Director reviewed this vacation proceeding pursuant to Sacramento City Code 17.912.030 and State of California Government Code Section 65402 and concluded that this vacation is consistent with the City of Sacramento's General Plan.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The portion of the public road easement south of Main Avenue and east of Rio Linda Boulevard within Council District 2, more specifically described in Exhibit A of this Resolution, is vacated.
- Section 2. The vacation of the public road easement more specifically described in Exhibit A, is made pursuant to State of California Streets and Highways Code, Division 9, Part 3, Chapter 4, Sections 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 City of Sacramento's General Plan.
- Section 4. Once this Resolution has been approved, 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 Sacramento County Recorder's Office.
- Section 5. Exhibit A is incorporated into and made part of this Resolution.

Table of Contents:

Exhibit A – Legal Description and Map

Legal Description

VACATION OF A 30.00 FOOT WIDE ROADWAY DEDICATION
BEING A PORTION OF PARCEL A
OF GRANT DEED NO. 20110322 AT PAGE 223,
SACRAMENTO COUNTY OFFICIAL RECORDS

All that certain real property as described in Book No. 20110322 at Page 223, Official Records, County of Sacramento, State of California, being a portion of Parcel A, also known as Lots 4 and 13 of that Subdivision of Section 11 of Rancho Del Paso according to the official plat thereof, filed on April 18, 1913 in Book 14 of Maps at Page 5, in the Official Records, Office of Recorder, County of Sacramento, State of California, being more particularly described as follows:

COMMENCING at the Northwest corner of Lot 4 (Four), said point being on the centerline of Main Avenue, said point also bears South 89°07'31" West 1812.83 feet from the centerline intersection of Main Avenue and Marysville Blvd. as said intersection is shown on Record of Survey filed in Book 52 at Page 13, thence leaving said centerline of Main Avenue South 01°40'22" East a distance of 43.00 feet along the Easterly boundary of that 100.00 foot wide Railroad Right of Way as shown in Document No. 19830915 O.R. at Page 1057, to the **TRUE POINT OF BEGINNING**

Thence the following 4 courses:

1. Thence South 01°40'22" East a distance of 1148.08 feet along the Easterly boundary of that 100.00 foot wide Railroad Right of Way as shown in Document No. 19830915 O.R. at Page 1057, to a point on the Northerly Right of Way line of future Grace Avenue as shown on that Certificate of Compliance for Lot Line Adjustment recorded in Book 20120917 at Page 1200;
2. Thence along said Northerly Right of Way line of future Grace Avenue, North 89°05'17" East a distance of 30.01 feet to the Easterly line of said 30 foot wide Road Easement as shown in Book 14 of Maps at Page 5, O.R.;
3. Thence parallel with and 30.00 feet Easterly of said 100.00 foot wide Railroad Right of Way as shown in Document No. 19830915 O.R. at Page 1057, North 01° 40'22" West a distance of 1148.07 feet a point 43.00 feet from the centerline of said Main Avenue;
4. Thence parallel with and 43.00 feet distant from the centerline of Main Avenue, South 89°07'31" West a distance of 30.00 feet to the **TRUE POINT OF**

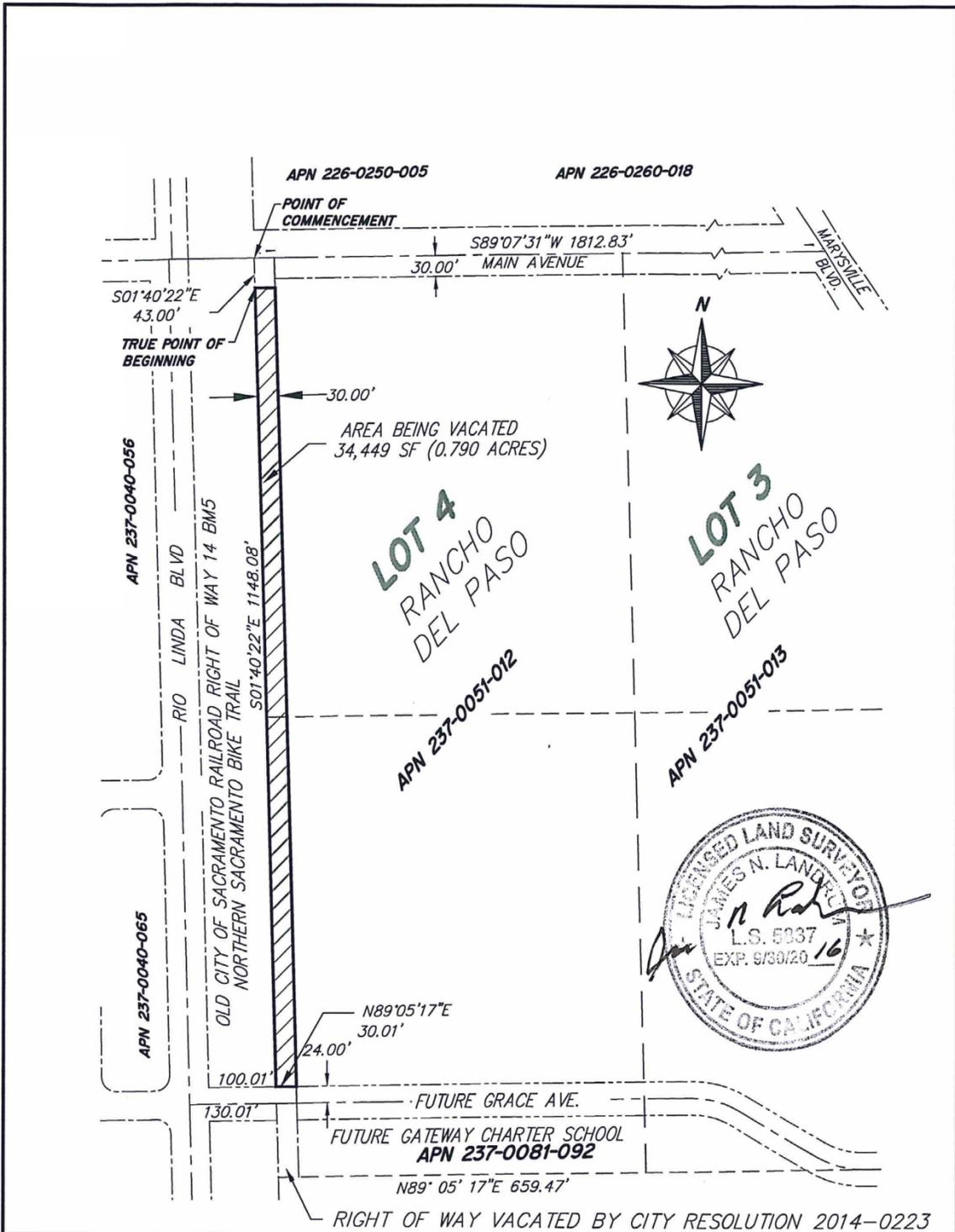
BEGINNING.

Containing 34,449.49 Square Feet or 0.790 Acres

Basis of Bearings for this description is identical to that Centerline of Main Avenue as shown on that certain Record of Survey recorded in Book 52 at Page 13 on file in the Office of the Recorder, County of Sacramento, State of California, and shown as North 89°07'31" East.

End of Description





Drawn By: JNL/DM
 Date: 3/3/16
 Scale: 1"=200
 Job No.: NC15046
 Phone: 866.526.4214

RANCHO DEL PASO
LOTS 4 AND 13
ROADWAY VACATION
 SACRAMENTO COUNTY CALIFORNIA

MVE
 MVE Inc.

SHEET
2
 OF **2**

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