RESOLUTION NO. 2007-249

Adopted by the Sacramento City Council

April 26, 2007

VACATING THE PUBLIC ACCESS EASEMENT LOCATED AT GREAT EGRET COURT LOCATED IN COUNCIL DISTRICT 1 (APN NO'S:225-2000-044, 225-2000-045) VACATION PROCEEDING NO. VP07-03

BACKGROUND

A. The property owners of Great Egret Court have requested that the City vacate the subject Public Access Easement (PAE) located within the City of Sacramento to eliminate the criminal acts that have been committed against them and their properties.

B. The City of Sacramento 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 City's General Plan in promoting safety and livability while maintaining the quality and character of residential neighborhoods.

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

Section 1. The Public Access Easement located at the north end of Great Egret Court has been used as a conduit for criminal activity within the surrounding area.

Section 2. The City Council hereby finds that said vacation has been submitted to and reported on by the City Planning Division and finds that said vacation is consistent with the City's General Plan and applicable Community Plan.

Section 3. This vacation is pursuant to the following conditions:

a. The applicants will have a wall constructed that closes off the PAE to the satisfaction of Development Engineering.

Section 4. The conditions specified in Section 3 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 5. Once the conditions in Section 3 are met, 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 County Recorder.

Table of Contents:

Exhibit A: Legal Description, APN: 225-2000-044
Exhibit B: Exhibit Plat/Map, APN: 225-2000-044
Exhibit A1: Legal Description, APN: 225-2000-045
Exhibit B1: Exhibit Plat/Map, APN: 225-2000-045

Adopted by the City of Sacramento City Council on April 26, 2007 by the following vote:

Ayes: Councilmembers, Cohn, Fong, Hammond, McCarty, Sheedy, Tretheway, Waters and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: Councilmember Pannell.

Heather Fargo
Mayor Heather Fargo

Attest:

Shirley Concolino
Shirley Concolino, City Clerk

EXHIBIT A

"A"
APN 225-2000-044
ABANDON PUBLIC ACCESS EASEMENT
LEGAL DESCRIPTION

All that certain real property situated in the City of Sacramento, County of Sacramento, State of California, described as follows:

All that portion of Lot 44 as shown on the "Final Map of Parkview Village 10", recorded on February 11, 2004, in Book 325 of Maps, Map No. 10, of said county and described as follows:

Beginning at the northeast corner of said Lot 44; thence from said Point of Beginning South 06°32'41" West, 19.69 feet along the easterly line of said lot to the beginning of a non-tangent curve to the left, concave southerly, having a radius of 45.00 feet; thence 20.72 feet along said curve, subtended by a chord bearing South 83°21'03"West, 20.54 feet; thence North 06°32'41"East, 19.69 feet to the northerly line of said lot; thence South 83°27'19"East, 20.00 feet to the Point of Beginning containing 330.58 square feet, more or less.

EXHIBIT B

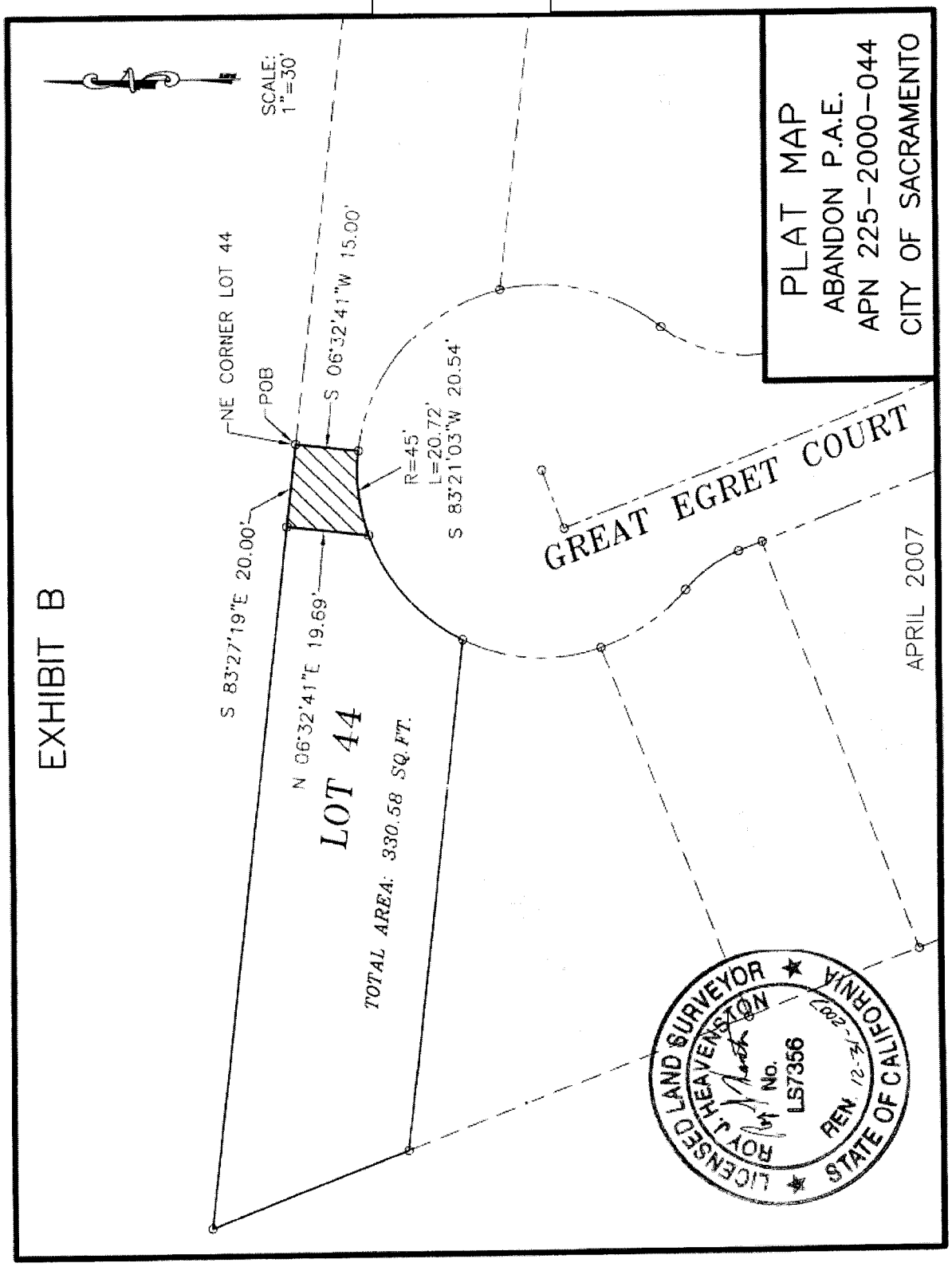
EXHIBIT B
SCALE: 1"=30'
NE CORNER LOT 44
POB
S 06°32'41"W 15.00'
R=45'
L=20.72'
S 83°21'03"W 20.54'
S 83°27'19"E 20.00'
N 06°32'41"E 19.69'
LOT 44
TOTAL AREA: 330.58 SQ.FT.
GREAT EGRET COURT
APRIL 2007
PLAT MAP
ABANDON P.A.E.
APN 225-2000-044
CITY OF SACRAMENTO
LICENSED LAND SURVEYOR
ROY J. HEAVENSTON
No. LS7356
REN. 12-31-2007
STATE OF CALIFORNIA

EXHIBIT A1

APN 225-2000-045
ABANDON PUBLIC ACCESS EASEMENT
LEGAL DESCRIPTION

All that certain real property situated in the City of Sacramento, County of Sacramento, State of California, described as follows:

All that portion of Lot 45 as shown on the "Final Map of Parkview Village 10", recorded on February 11, 2004, in Book 325 of Maps, Map No. 10, of said county and described as follows:

Beginning at the northwest corner of said Lot 45; thence from said Point of Beginning South 83°27'19"East, 20.00 feet; thence South 06°32'41" West, 19.69 feet to the beginning of a non-tangent curve to the left, concave southerly, having a radius of 45.00 feet; thence 20.72 feet along said curve, subtended by a chord bearing North 70°16'18"West, 20.54 feet; thence North 06°32'41"East, 19.69 feet to the Point of Beginning containing 330.54 square feet, more or less.

Lot45.doc

EXHIBIT B1

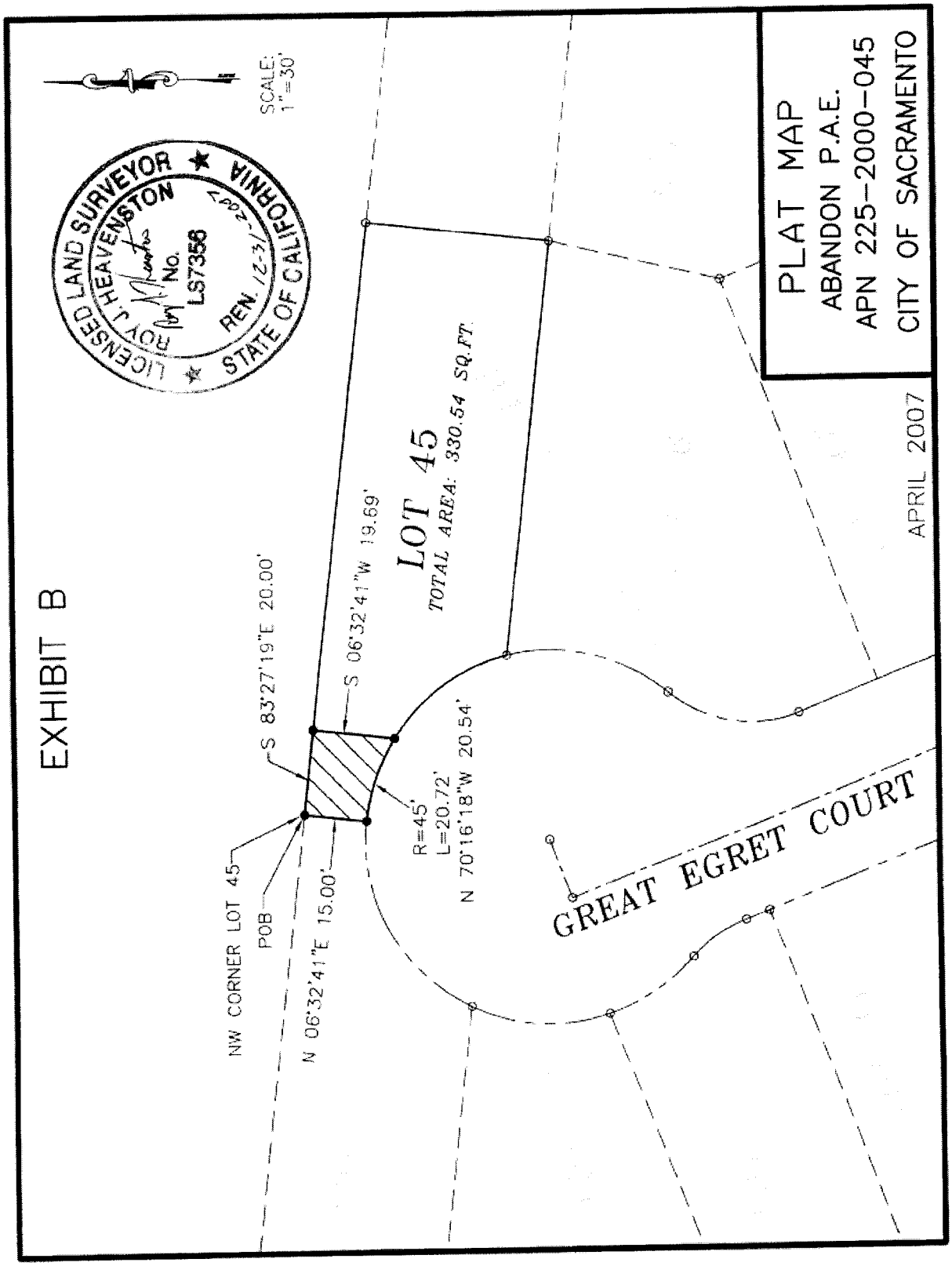
EXHIBIT B
SCALE: 1"=30'
LICENSED LAND SURVEYOR
ROY J. HEAVENSTON
No. LS7356
REN. 12-31-2007
STATE OF CALIFORNIA
PLAT MAP
ABANDON P.A.E.
APN 225-2000-045
CITY OF SACRAMENTO
APRIL 2007
LOT 45
TOTAL AREA: 330.54 SQ.FT.
S 06°32'41"W 19.69'
S 83°27'19"E 20.00'
R=45'
L=20.72'
N 70°16'18"W 20.54'
NW CORNER LOT 45
POB
N 06°32'41"E 15.00'
GREAT EGRET COURT