REPORT TO COUNCIL
City of Sacramento

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

CONSENT
June 12, 2007

Honorable Mayor and
Members of the City Council

Title: Summary Vacation of the Public Road and Highway Easement at Natomas Field Subdivision South of Arena Boulevard

Location/Council District: The 25 feet of the most eastern portion of Parcel 1 in the Natomas Field Development as indicated by Sacramento County Public Road and Highway Easement recorded in Book 1212 Page 28 located in Council District 1 (Attachment 2, Page 4)

Recommendation: Adopt a **Resolution** vacating the public road and highway easement described in the Exhibit A and Exhibit B of the Resolution, and reserving to the City a public service easement.

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

Presenters: Not Applicable

Department: Development Services

Division: Development Engineering

Organization No: 4881

Description/Analysis

Issue: Beazer Homes has requested the vacation of the public road and highway easement described in the Exhibit A and Exhibit B to the attached Resolution. This public road and highway easement lies adjacent to the Natomas Field Development in North Natomas. This vacation is needed to fulfill a required condition of development in which a multi-use bike and pedestrian trail will be constructed.

Policy Considerations: The Council action recommended in this report supports the City's Circulation Element of the General Plan to "Provide a network of safe and convenient bikeways, and maintain a street system which protects residential neighborhoods from unnecessary levels of traffic."

Committee/Commission Action: None

Environmental Considerations: The Development Services Department Environmental Planning Services Division reviewed this project and determined that the activity is exempt from the provisions of CEQA (California Environmental Quality Act) under Section 15061(b)(3) of the CEQA Guidelines. Where a project has less than significant effects on the environment and discerns with certainty that this project will not have any significant effects on the environment and is not subject to CEQA; it is exempt.

Rationale for Recommendation: The vacation of the subject public road and highway easement will be utilized as a multi-use bike and pedestrian trail.

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

Emerging Small Business Development (ESBD): None

Respectfully Submitted by: Edward H. Williams
Edward Williams
Manager, Development Engineering

Approved by: William A. Thomas
William A.Thomas
Director of Development Services Department

Recommendation Approved:

for RAY KERRIDGE
City Manager

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Attachment 1

Background

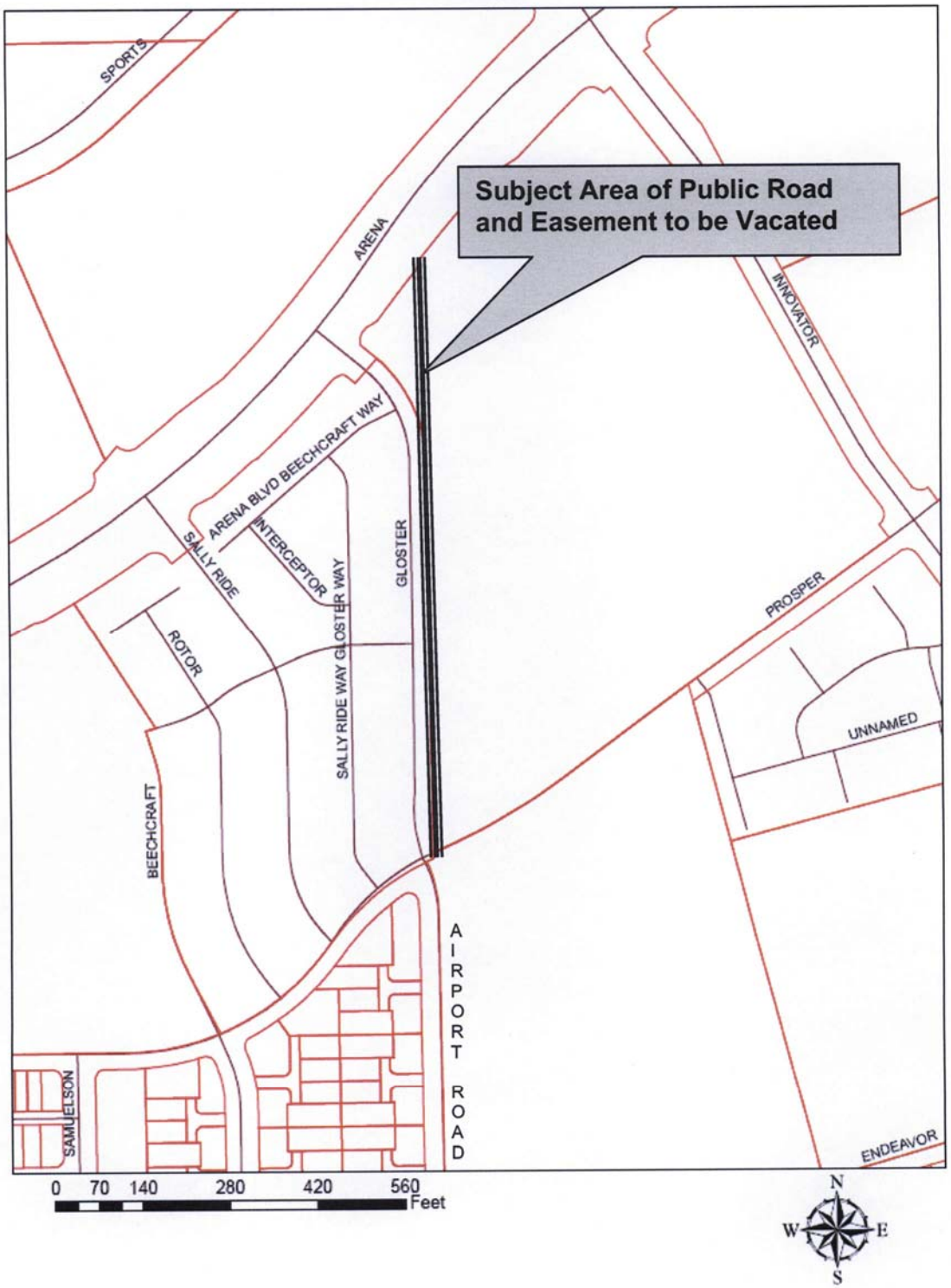
The Summary Vacation of the Public Road and Highway Easement at Natomas Field Subdivision South of Arena Boulevard

Beazer Homes, the underlying property owner has requested the vacation of the public road and highway easement. The public road and highway easement is located south of Arena Boulevard within the Natomas Field subdivision. (Attachment 2, Page 4). Part of the public road and highway easement was never paved and exists as vacant land. This request for vacation is in conjunction with conditions of the approved Master Parcel Map of Natomas Field (P04-236). Further, adjacent to or on a segment of the existing public road and highway easement, Beazer homes will construct a multi-use bike and pedestrian trail once this vacation is approved. This will help promote safe and convenient alternate modes of travel within the North Natomas community.

Staff finds that this request for vacation is in conformance with the State of California Streets and Highways Code Section 8334(a) because this public road and highway easement is excess right-of-way not required for street or highway purposes. Staff recommends that the City Council approve this vacation request. Various City agencies and utility companies reviewed and support this vacation.

ATTACHMENT 2

AREA MAP



Attachment 3

RESOLUTION NO.

Adopted by the Sacramento City Council

THE SUMMARY VACATION OF THE PUBLIC ROAD AND HIGHWAY EASEMENT AT NATOMAS FIELD SUBDIVISION SOUTH OF ARENA BOULEVARD WITHIN COUNCIL DISTRICT 1

VACATION PROCEEDING NO. VP06-10

BACKGROUND

A. Beazer Homes, the owner of the underlying property has requested that the City vacate the public road and highway easement located south of Arena Boulevard within the Natomas Field subdivision located within the City of Sacramento.

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.

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

Section 1. The public road and highway easement located south of Arena Boulevard within the Natomas Field Subdivision, more specifically described in Exhibit A and Exhibit B of this resolution is hereby ordered vacated reserving to the City a public service easement.

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

Section 3. Pursuant to Streets and Highways Code Section 8306 an 8340, the City reserves a public service easement in the area more specifically described in Exhibit A and 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. Also, the right to keep the property free from flammable materials and wood growth, and otherwise protect the same from all hazards, in, upon, over and across the portion of the subject property to be vacated.

Section 4. The vacation of the public road and highway easement is 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, the City Council finds that the public road and highway easement is an excess right-of-way of a street or highway and not necessary for street or highway purposes.

Section 5. 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.

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Exhibit A: Legal Description
Exhibit B: Exhibit Plat/Map

EXHIBIT "A"

DESCRIPTION

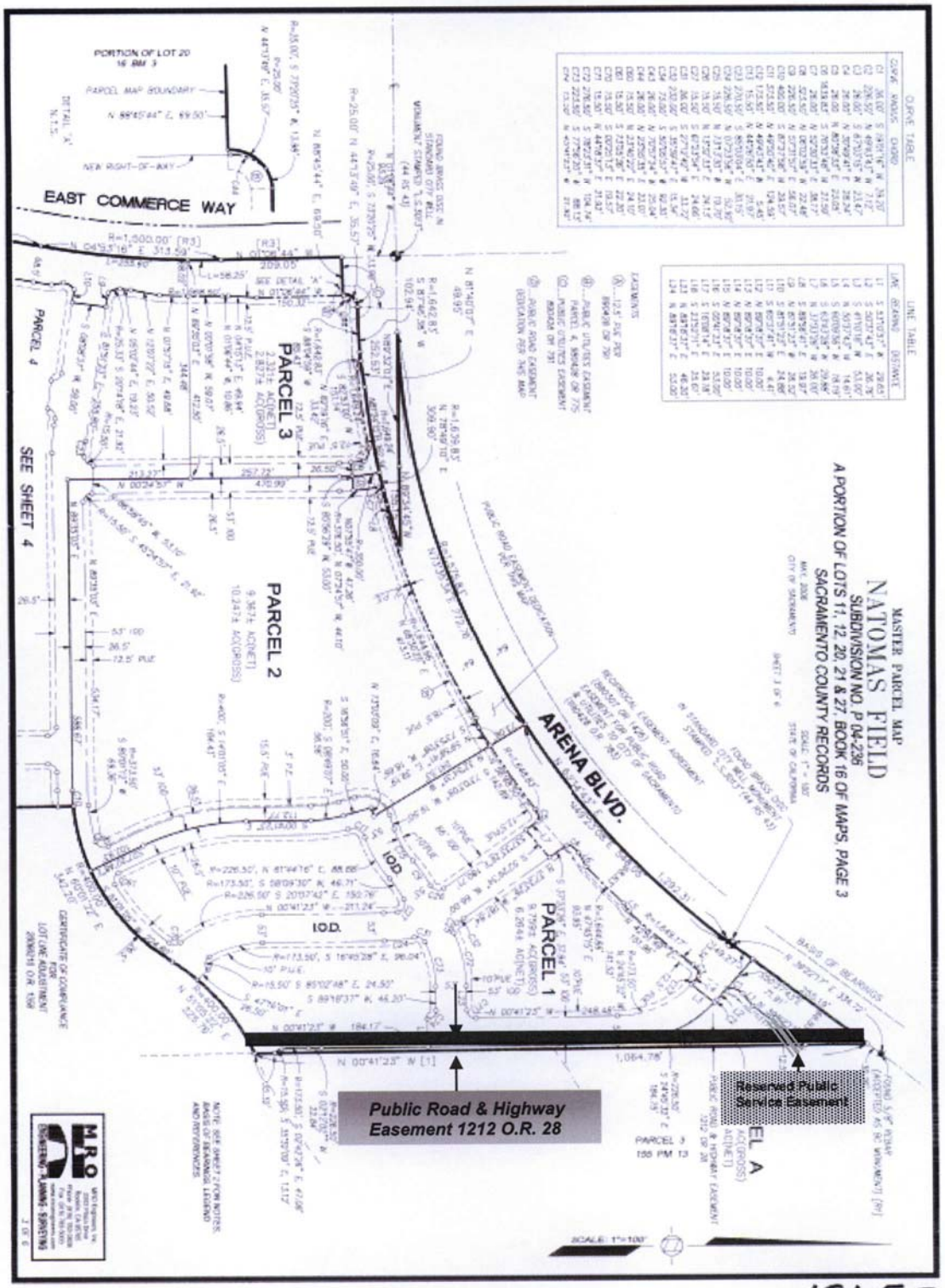
ALL THAT REAL PROPERTY IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE PUBLIC ROAD AND HIGHWAY EASEMENT DESCRIBED IN 1212 OFFICIAL RECORDS, PAGE 28, SACRAMENTO COUNTY RECORDS AND A PORTION OF PARCEL 1, AS SHOWN ON PARCEL MAP RECORDED IN THE SACRAMENTO COUNTY RECORDER'S OFFICE IN BOOK 191 OF PARCEL MAPS, PAGE 5, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 25 FEET OF PARCEL 1 OF PARCEL MAP RECORDED IN THE SACRAMENTO COUNTY RECORDER'S OFICCE IN BOOK 191 PARCEL MAPS, PAGE 5.

NATOMAS FIELD ABANDON

EXHIBIT B



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