RESOLUTION NO. 2007-689

Adopted by the Sacramento City Council

September 18, 2007

SUMMARY VACATION OF A SEGMENT OF THE ALLEY BOUNDED BY RIO LINDA BOULEVARD, DEL PASO BOULEVARD, EL CAMINO AVENUE AND PLAZA AVENUE WITHIN COUNCIL DISTRICT 2 - VACATION PROCEEDING NO. VP06-14

BACKGROUND

A. Petrovich Development Company has requested that the City vacate a segment of the alley bounded by Rio Linda Boulevard, Del Paso Boulevard, El Camino Avenue and Plaza Avenue 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. Subject to the reservation below in Section 2, the alley bounded by Rio Linda Boulevard, Del Paso Boulevard, El Camino Avenue and Plaza Avenue within Council District 2, specifically described in Exhibit A and Exhibit B of this Resolution, is hereby ordered vacated subject to the conditions specified in Section 5.

Section 2. Pursuant to Streets and Highways Code Section 8306 and 8340, the City reserves a public service easement within the subject alley specifically described in Exhibit A and Exhibit B, 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 public road/alley right-of-way to be vacated.

Section 3. The vacation of the segment of the alley bounded Rio Linda Boulevard, Del Paso Boulevard, El Camino Avenue and Plaza Avenue within Council District 2, specifically described in Exhibit A and Exhibit B 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 alley

bounded by Rio Linda Boulevard, Del Paso Boulevard, El Camino Avenue and Plaza Avenue within Council District 2, specifically described in Exhibit A and Exhibit B is an excess right-of-way not required for street purposes.

Section 4. The City Council finds that the said vacation has been submitted to and reported on by the City's Planning Division and finds that the said vacation is consistent with the City's General Plan.

Section 5. This vacation is subject to the following conditions:

a) The property owner must grant to the City of Sacramento and record an Emergency Vehicle Easement representing the subject segment of the alley described in Exhibits A and B.

Section 6. The conditions 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. Once the conditions in Section 5 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
Exhibit B: Map

Adopted by the City of Sacramento City Council on September 18, 2007 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.

Heather Fargo

Mayor Heather Fargo

Attest:

Shirley Concolino

Shirley Concolino, City Clerk

Exhibit "A"

A portion of the 20 foot alley way as shown on the certain map entitled "Plat of North Sacramento Subdivision No.8" filed in Book 13 of Maps, Page 49, Sacramento County Records, in the City of Sacramento, Sacramento County, California, described as follows:

That portion of said 20 foot alley way lying southeasterly of and contiguous with Lot 3 in Block 7 of said "Plat of North Sacramento Subdivision No.8" more particularly described as follows:

Beginning at the most southerly corner of said Lot 3, said Point of Beginning being also a point on the northwesterly line of said 20 foot alley way;

Thence from said **Point of Beginning**, along the southeasterly line of said Lot 3 and along the northwesterly line of said 20 foot alley way, North 45°05'00" East 102.75 feet to the most easterly corner of said Lot 3, said point being also a point on the southwesterly line of Parcel 2 as described in that Certificate of Compliance recorded as Document Number 199804080993, Sacramento County Records,

Thence leaving the southeasterly line of said Lot 3 and the northwesterly line of said 20 foot alley way, along the southwesterly line of said Parcel 2, South 44°55'00" East 20.00 feet to the northerly corner of Parcel 1 as described in said Certificate of Compliance, said point being also a point on the southeasterly line of said 20 foot alley way;

Thence along the northwesterly line of said Parcel 1 and along the southeasterly line of said 20 foot alley way, South 45°05'00" West 102.75 feet;

Thence leaving the northwesterly line of said Parcel 1 and the southeasterly line of said 20 foot alley way, North 44°55'00" West 20.00 feet to the **Point of Beginning**, containing 2,055 square feet more or less.

End of description

Michael Dequine and Associates, Inc.

Michael R. Dequine, LS 5614

Expiration date 9/30/2008

Date: 5-30-06

LICENSED LAND SURVEYOR
MICHAEL R. DEQUINE
LS 5614
STATE OF CALIFORNIA

The Basis of Bearings for this description is that map entitled "Plat of North Sacramento Subdivision No.8" recorded in Book 13 of Maps, Page 49, Sacramento County Records.

T:\Active\06-[illegible]9 Borm 2456 Rio Linda Blvd alley abandonment images abandonment parking 20 foot pue.doc

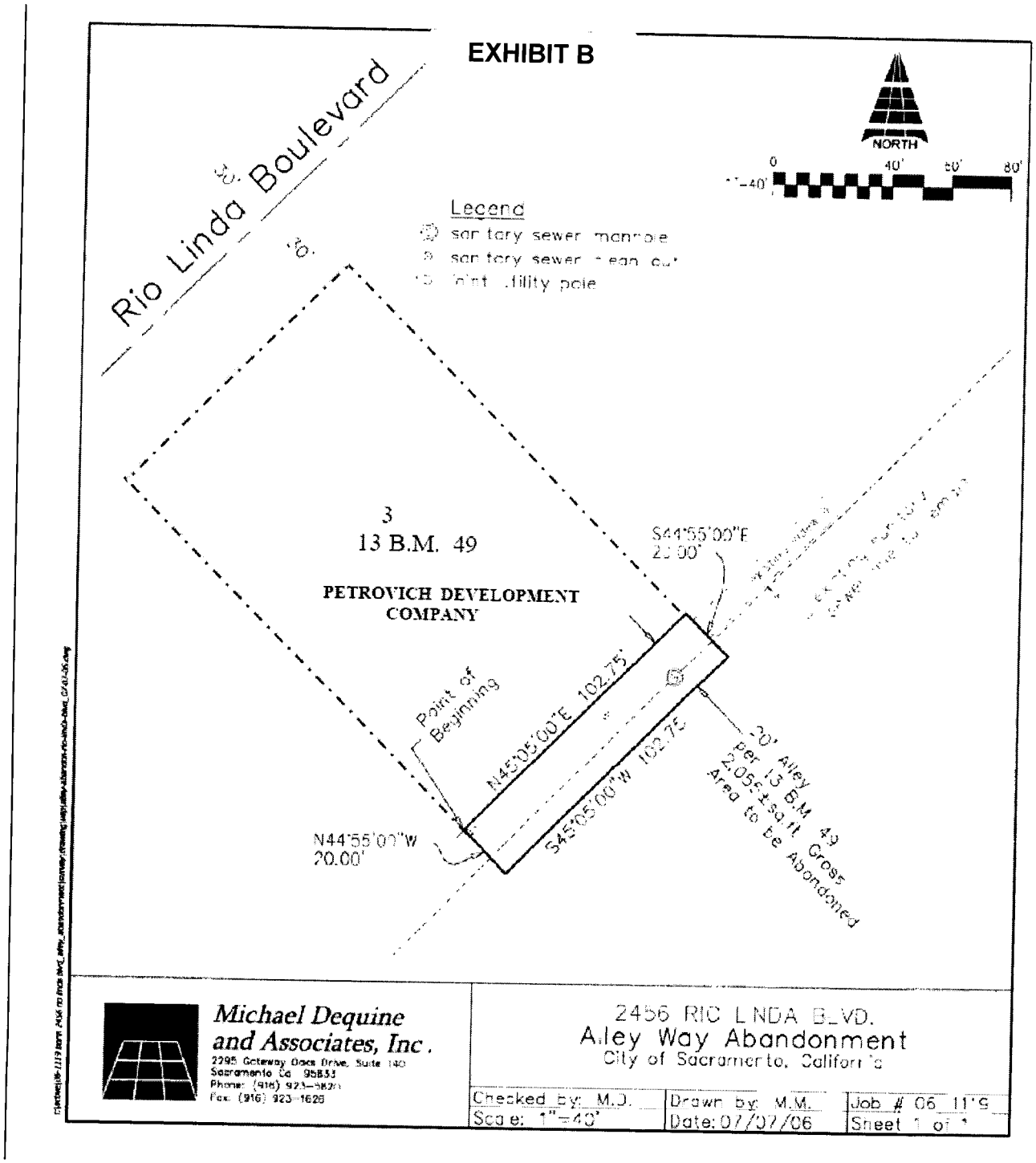
EXHIBIT B
Rio Linda Boulevard
NORTH
0
40'
80'
Legend
3
13 B.M. 49
PETROVICH DEVELOPMENT COMPANY
Point of Beginning
N45°05'00"E 102.75'
S45°05'00"W 102.75'
N44°55'00"W 20.00'
S44°55'00"E
20' Alley per 13 B.M. 49
2,055± sq.ft. Gross Area to be Abandoned
Michael Dequine and Associates, Inc.
2295 Gateway Oaks Drive, Suite 140
Sacramento Ca 95833
Phone: (916) 923-9820
Fax: (916) 923-1626
2456 RIO LINDA BLVD.
Alley Way Abandonment
City of Sacramento, California
Checked by: M.J.
Scale: 1"=40'
Drawn by: M.M.
Date: 07/07/06
Job # 06-119
Sheet 1 of 1