



## REPORT TO COUNCIL City of Sacramento

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

CONSENT  
October 16, 2007

Honorable Mayor and  
Members of the City Council

### **Title: Summary Vacation of the Public Access Road Located East of Pell Drive**

**Location/Council District:** The 240 feet of the most northern portion of parcel 23 of the Rio Linda Subdivision No. 8 recorded in Book 18 Page 2 at the office of the Recorder of Sacramento County located in Council District 2 (Attachment 2, Page 4)

**Recommendation:** Adopt a **Resolution** vacating the public access road described in Exhibit A and Exhibit B of the Resolution reserving to the City a twenty (20) foot public service easement measured from the most northern point of the area to be abandoned and terminating twenty (20) feet south from that point.

**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:** 4887

### **Description/Analysis**

**Issue:** Representing the National Business Center for Mr. Dan Waldman, the owner of the property with Assessor's Parcel No. (APN) 237-0022-071, Psomas Engineering has requested the vacation of the public access road east of Pell Drive. This request has been made with the intent to expand the property owner's accessibility of more usable space for his warehouse parking lot.

**Policy Considerations:** The Council action recommended in this report supports the Commerce and Industry Land Use Element within the City's General Plan under policies that include provisions for adequate land for expansion of existing facilities and assistance for private interests in maintaining a competitive advantage within Sacramento's warehousing and distribution industry.

**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 California Environmental Quality Act (CEQA) 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 this subject public access road will be utilized as an expanded parking lot for warehouse parking.

**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 A. Williams  
Edward Williams  
Manager, Development Engineering

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

Recommendation Approved:

*for* Ray Kerridge  
RAY KERRIDGE  
City Manager

**Table of Contents:**

Report	Pg 1
<b>Attachments</b>	
1 Background	Pg 3
2 Location Map	Pg 4
3 Resolution	Pg 5
Exhibit A: Legal Description	Pg 7
Exhibit B: Exhibit Plat/Map	Pg 9

**Attachment 1**

## **Background**

### **The Summary Vacation of the Public Access Road Located East of Pell Drive**

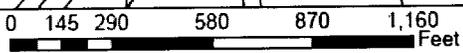
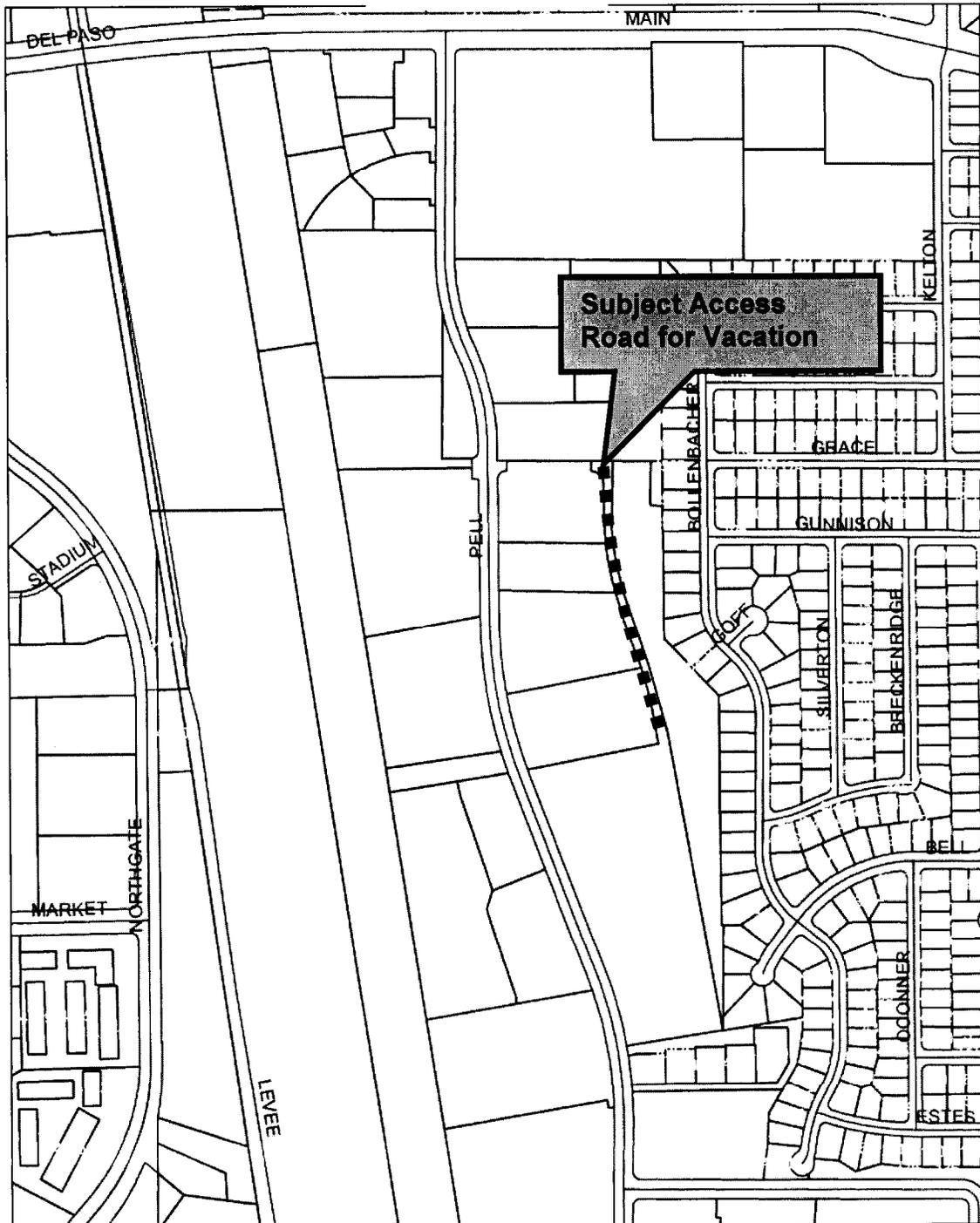
Psomas Engineering has requested the vacation of the public access road east of Pell Drive. This request has been made with the intent to expand the property owner's accessibility of more usable space for his warehouse parking lot.

The public access road is located east of Pell Drive in North Sacramento. (Attachment 2, Page 4) Currently, this subject access road is unimproved and is not being used for public access. The City's utility department has conditioned this vacation with a reservation of a 20 foot public service easement of the most northern section of the public access road.

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 access road is an excess right-of-way not required for street or highway purposes. Various City agencies including traffic engineering, the police and fire departments, and utility companies reviewed and support this vacation. After consideration and review staff recommends that the City Council approve this vacation request

**ATTACHMENT 2**

**AREA MAP**



Public Access Road



**RESOLUTION NO.**

Adopted by the Sacramento City Council

**THE SUMMARY VACATION OF THE PUBLIC ACCESS ROAD EAST OF PELL DRIVE  
WITHIN COUNCIL DISTRICT 2**

**VACATION PROCEEDING NO. VP07-015**

**BACKGROUND**

- A. Representing the National Business Center for Mr. Dan Waldman, the owner of the property with Assessor's Parcel No. (APN) 237-0022-071, Psomas Engineering has requested the vacation of the public access road east of Pell Drive.
- 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 public access road located east of Pell Drive within Council District 2, more specifically described in Exhibit A and Exhibit B of this resolution is hereby ordered vacated.
- Section 2. Pursuant to Streets and Highways Code Section 8306 and 8340, the City reserves a twenty foot (20) public service easement measured from the most northern point of the area to be abandoned and terminating twenty (20) feet south from that point in the public access road 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.
- Section 3. The vacation of the public access road located east of Pell Drive within Council District 2, more 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 public access road located

east of Pell Drive, more 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. 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: Exhibit Plat/Map

Waldman  
APN: 237-0022-071  
Road Reservation Abandonment  
May 21, 2007  
Page 1 of 2

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

A strip of land situated in the City and County of Sacramento, State of California, and being a portion of the lands described in that certain instrument recorded in Book 750307 at Page 251 of Official Records, Sacramento County and referenced therein as "access road", said strip of land being further described as follows:

**BEGINNING** at the southeasterly corner of Parcel B as said parcel is shown on that certain map filed in Book 158 of Parcel Maps at Page 15, Sacramento County Records; thence along the easterly lines of Parcels A and B of last said map and the easterly lines of Parcels 1 and 2 as said parcels are shown on the map filed in Book 92 of Parcel Maps at Page 6, Sacramento County Records, the following seven (7) courses: 1) North 10°17'30" West 72.16 feet to the beginning of a curve, concave westerly, having a radius of 1372.57 feet; 2) northerly along said curve, through a central angle of 09°33'40", an arc distance of 229.05 feet (said curve being subtended by a chord which bears North 15°04'20" West 228.78 feet); 3) North 19°51'10" West 240.00 feet to the beginning of a curve, concave easterly, having a radius of 725.00 feet; 4) northerly along said curve, through a central angle of 18°54'40", an arc distance of 239.29 feet (said curve being subtended by a chord which bears North 10°23'50" West 238.21 feet); 5) North 00°56'30" West 130.00 feet to the beginning of a curve, concave southwesterly, having a radius of 40.00 feet; 6) northwesterly along said curve, through a central angle of 90°00'05", an arc distance of 62.83 feet (said curve being subtended by a chord which bears North 45°56'33" West 56.57 feet); and 7) North 00°56'30" West 10.00 feet to a point on the easterly line of said Parcel 1; thence leaving last said line North 89°03'30" East 90.00 feet; thence South 00°56'30" East 180.00 feet to the beginning of a curve, concave easterly, having a radius of 675.00 feet; thence southerly along said curve, through a central angle of 18°54'43", an arc distance of 222.80 feet (said curve being subtended by a chord which bears South 10°23'50" East 221.79 feet); thence South 19°51'10" East 240.00 feet to the beginning of a curve, concave westerly, having a radius of 1422.57 feet; thence southerly along said curve, through a central angle of 09°33'40", an arc distance of

Waldman  
APN: 237-0022-071  
Road Reservation Abandonment  
May 21, 2007  
Page 2 of 2

237.39 feet (said curve being subtended by a chord which bears South 15°04'20" East 237.11 feet); thence South 10°17'30" East 72.16 feet; thence South 79°42'30" West 50.00 feet to the point of beginning, containing 48,563 square feet (1.115 acres) more or less.

The basis of bearings for the above description is as shown on that certain map filed in Book 92 of Maps at Page 6, Sacramento County Records.

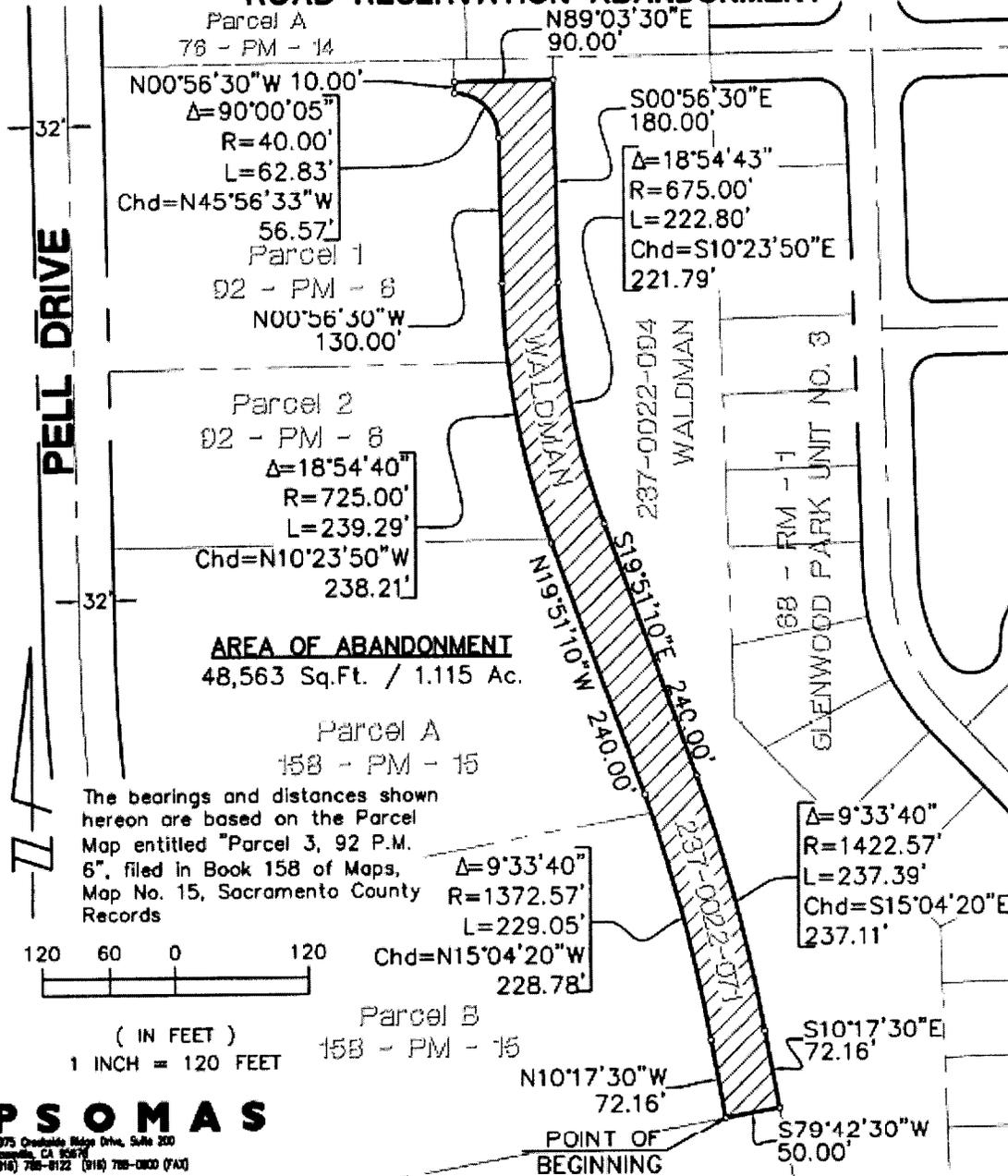
The above described land is shown on Exhibit "B" attached hereto and made a part hereof.

End of Description



EXHIBIT 'B'

ROAD RESERVATION ABANDONMENT



**PSOMAS**  
1975 Oroville Blvd. Suite 200  
Sacramento, CA 95837  
(916) 788-8122 (916) 788-0800 (FAX)

May 21, 2007 - DWG Name: P:\ENR\110126\ENR\EG-BVS 21.07 -map-and-revision - Updated by: dcherry

FOR CITY CLERK USE ONLY

RESOLUTION NO. : \_\_\_\_\_  
DATE ADOPTED : \_\_\_\_\_