

## **RESOLUTION NO. 2006-150**

Adopted by the Sacramento City Council

February 28, 2006

### **APPROVING THE SUMMARY VACATION OF PORTION OF AN IRREVOCABLE OFFER OF DEDICATION OF PARCEL "E", SHOWN AND DEDICATED IN THE MASTER PARCEL MAP OF NATOMAS CROSSING WITHIN COUNCIL DISTRICT 1**

#### **VACATION PROCEEDING NO. VP06-01**

#### **BACKGROUND**

- A. "Alleghany Properties" requested the City to vacate the subject portion of an Irrevocable Offer of Dedication of Parcel "E" located within the City of Sacramento.
- B. The Sacramento City Council will consider this vacation proceeding in accordance to State of California Streets and Highways Code Section 8330-8334.5.
- C. The City of Sacramento Planning Division reviewed this vacation proceeding pursuant to State of California Government Code Section 65402 and concluded that this vacation is consistent with the City's General Plan and applicable Community Plan.

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

- Section 1. Portion of an Irrevocable Offer of Dedication of Parcel "E", specifically described in Exhibit A and Exhibit B of this resolution, is hereby ordered vacated subject to the conditions specified on this resolution.
- Section 2. The City Council has considered this vacation in accordance to State of California Streets and Highways Code Section 8330-8334.5. The City Council finds that the subject portion of Parcel "E" and easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
- Section 3. The City Council finds that the said vacation have 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 and applicable Community Plan.
- Section 4. This vacation is subject to the following condition:

a) The applicant shall apply for and obtain a Certificate of Compliance for Lot Line Adjustment of the subject Parcel "E" and the adjacent parcel immediately to the west.

b) When, in accordance with the City's North Natomas Land Acquisition Program (the LAP), Alleghany Properties, Inc. provided the IOD for Parcel "E" to the City, Alleghany and the City also entered into a Reimbursement and Credit Agreement dated April 1, 2001, and identified as City Agreement No. 2001-223. Under that Alleghany Properties was permitted to credit a portion of its "Reimbursement Amount" against the Public Land Acquisition Fees (the PLAF) it owed under the LAP. As a condition precedent to recordation of this resolution (and thus to completion of the vacation), Alleghany Properties and the City must agree in writing (1) to reduce the Reimbursement Amount available under the Reimbursement and Credit Agreement by \$42,389, which is the amount of the credit Alleghany received for the portion of the IOD this resolution vacates; and (2) to apply this reduction against the total credits Alleghany has received from the City under the LAP.

Section 5. The condition specified in Section 4 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 a time extension.

Section 6. Once the conditions in Section 4 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 – 1 Page

Exhibit B: Exhibit Plat/Map – 1 Page

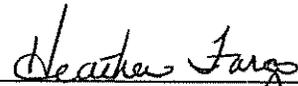
Adopted by the City of Sacramento City Council on February 28, 2006 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.

  
\_\_\_\_\_  
Mayor Heather Fargo

Attest:

  
\_\_\_\_\_  
Shirley Concolino, City Clerk

**EXHIBIT "A"  
PORTION OF THE RT IOD  
TAKEN IN FEE AS PARCEL E**

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA BEING A PORTION OF PARCEL E AS SHOWN ON THAT CERTAIN MAP ENTITLED "MASTER PARCEL MAP OF NATOMAS CROSSING" RECORDED IN BOOK 155 OF PARCEL MAPS, AT PAGE 13, OFFICIAL RECORDS OF SACRAMENTO COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

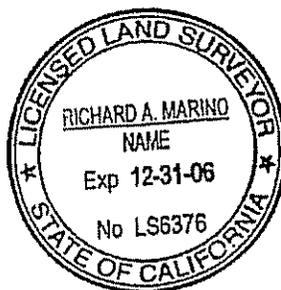
BEGINNING AT A POINT LOCATED ON THE SOUTHERLY LINE OF PARCEL 2 AS SHOWN ON SAID PARCEL MAP, FROM WHICH THE COMMON EASTERLY MOST CORNER OF SAID PARCEL 2 AND E BEARS NORTH 88°53'16" EAST 60 00 FEET, THENCE LEAVING SAID SOUTHERLY LINE THE FOLLOWING FOUR COURSES, (1) SOUTH 01°06'44" EAST 63.13 FEET TO A POINT OF CURVATURE; (2) ALONG THE ARC OF A 2000.00 FOOT RADIUS CURVE TO THE RIGHT SUBTENDED BY A CENTRAL ANGLE OF 04°09'09" AN ARC LENGTH OF 144 95 FEET TO A POINT OF REVERSE CURVATURE; (3) ALONG THE ARC OF A 2000.00 FOOT RADIUS CURVE TO THE LEFT SUBTENDED BY A CENTRAL ANGLE OF 04°09'09" AND ARC LENGTH OF 144 95 FEET TO A POINT OF TANGENCY, AND (4) SOUTH 01°06'44" EAST 98.23 FEET TO A POINT LOCATED ON THE NORTHERLY LINE OF PARCEL 11 AS SHOWN ON SAID PARCEL MAP, THENCE ALONG SAID NORTHERLY LINE SOUTH 88°53'16" WEST 52 49 FEET, THENCE LEAVING SAID NORTHERLY LINE NORTH 01°06'44" WEST 451.00 FEET TO A POINT LOCATED IN SAID SOUTHERLY LINE OF PARCEL 2; THENCE ALONG SAID SOUTHERLY LINE NORTH 88°53'16" EAST 63.00 FEET TO THE POINT OF BEGINNING.

END OF DESCRIPTION

SEE EXHIBIT "B", PLAT TO ACCOMPANY DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION PURSUANT TO SECTION 8729(2) OF THE PROFESSIONAL LAND SURVEYORS ACT.

*Richard A. Marino*  
Richard A Marino P.L.S. 6376  
Expires December 31, 2006



12/16/05  
Date

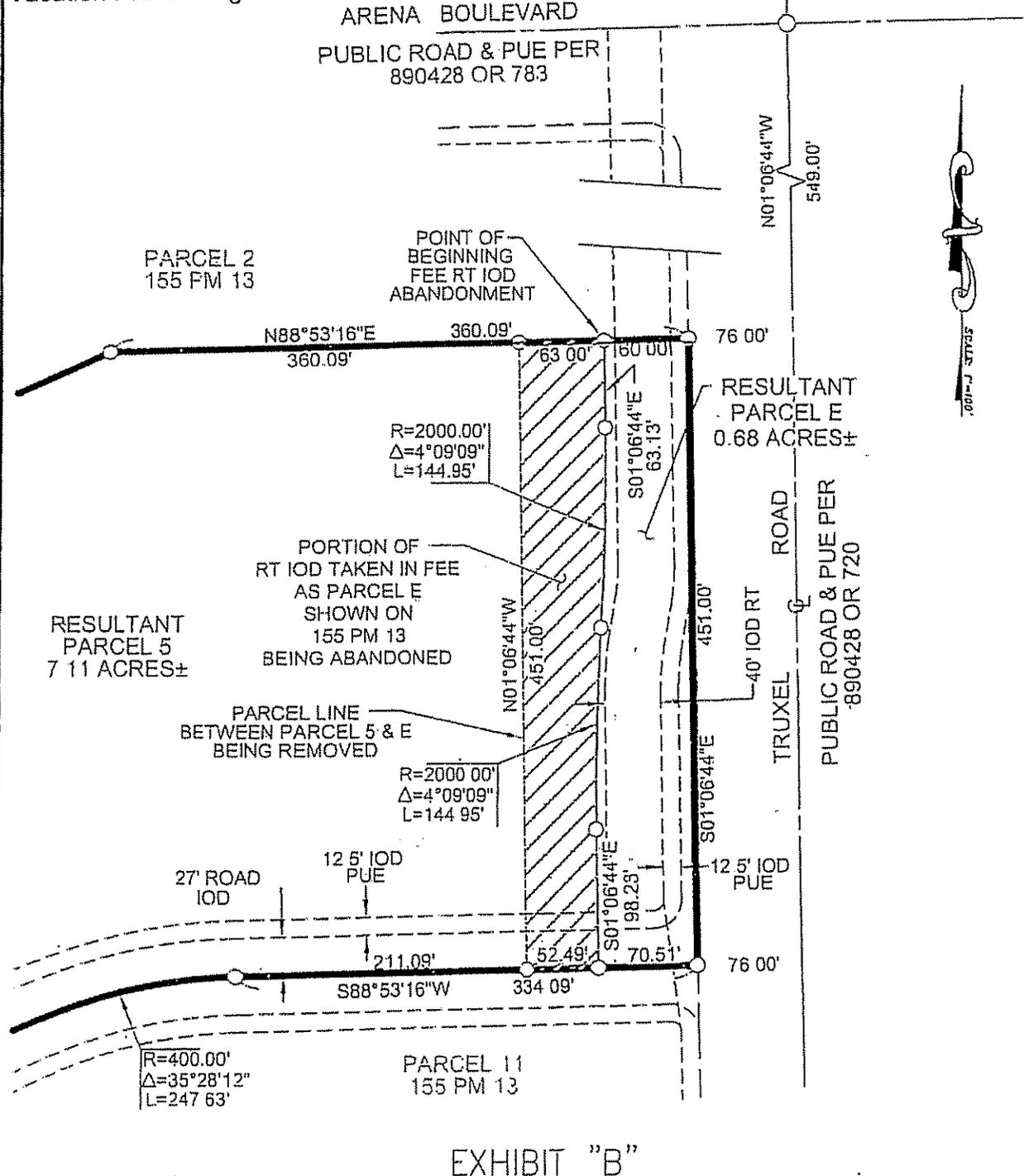


EXHIBIT "B"

PRECISION LAND SURVEYING, INC. 8850 AUBURN FOLSOM ROAD, GRANITE BAY, CA P O BOX 1042 FOLSOM, CA 95763-1042 (916) 789-2006	DRAWN BY: BT	DATE: 12/13/05
	DESIGNED BY:	FILE:
	APPROVED BY: RAM	SCALE: 1" = 100'
	REVISED:	JOB NO. 0388