

RESOLUTION NO. 2006-204

Adopted by the Sacramento City Council

March 21, 2006

APPROVING THE SUMMARY VACATION OF THE ALLEY BOUNDED BY "B" STREET, 12TH STREET, "C" STREET AND 11TH STREET WITHIN COUNCIL DISTRICT 1 VACATION PROCEEDING NO. VP05-16

BACKGROUND

- A. "GMA Investors" requested the City to vacate the subject alley 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. The Alley bounded by "B" Street, 12th Street, "C" Street and 11th Street within Council District 1, specifically described in Exhibit A and Exhibit B of this resolution, is hereby ordered vacated subject to the conditions specified on this resolution.

However reserving the public service easement (as defined in Section 8306 and 8340 of the California Streets and Highways code) and 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. Including access and the right to keep the property free from inflammable materials and wood growth, and otherwise protect the same from all hazards, in, upon, over and across the portion of the subject alley.

- 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 vacation of the subject alley is in conformance of the State of California Streets and Highways Code Section 8333, because this subject alley is an excess right-of-way not required for street purposes

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 provide all parcels adjacent to the subject alley adequate space for trash and recycling services to the satisfaction of Department of General Services.
- b) The applicant shall provide reciprocal ingress and egress agreement for the shared use of the alley by the adjacent parcels for fire access and the alley be marked "No Parking Fire Lane" to the satisfaction of the Fire Department.
- c) The applicant shall provide proof of ingress, egress and maneuvering easement/agreement over the vacated portion of the alley that is owned in fee by the property with Assessors parcel Number 002-0074-005 to the satisfaction of Development Services Department-Development engineering Division.

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

Exhibit B: Exhibit Plat/Map

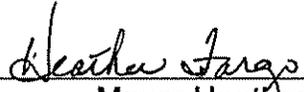
Adopted by the City of Sacramento City Council on March 21, 2006 by the following vote:

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"

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*Legal Description for
ALLEY ABANDONMENT PROPOSAL
1131 "C" Street, Sacramento, California*

ALLEY TO BE ABANDONED:

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

The alley in the block bounded by 11th and 12th and B and C streets of the City of Sacramento, as shown on the Official Plat thereof

End of Legal Description

Prepared by JTS Engineering Consultants, Inc from Record Data

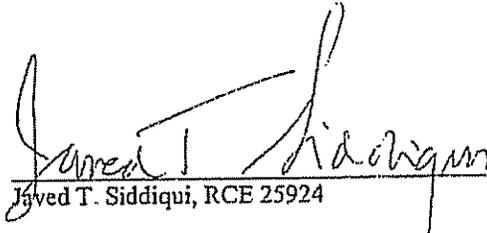
 Date: 11-17-2005
Javed T. Siddiqui, RCE 25924



EXHIBIT "B"

ALLEY ABANDONMENT EXHIBIT

ALLEY IN THE BLOCK BOUNDED BY
B, C, 11TH AND 12TH STREETS AS SHOWN ON THE OFFICIAL
PLAT OF THE CITY OF SACRAMENTO.

JTS ENGINEERING CONSULTANTS, INC.
 1808 J STREET
 SACRAMENTO CALIFORNIA 95814 (916) 441-6708

APN: 002-0074-005

LOT 1

LOT 2

LOT 3

LOT 4

ALLEY TO BE ABANDONED

11TH STREET

SOUTH

160'

APN: 002-0074-007

LOT 8

APN: 002-0074-009

WEST

320'

LOT 7

APN: 002-0074-011

LOT 6

APN: 002-0074-010

LOT 5

NORTH

160'

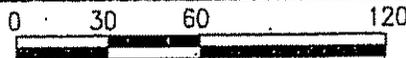
12TH STREET

40'

EAST 320'

C STREET

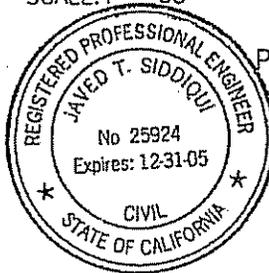
40'



SCALE: 1" = 60'

NOTE:

THIS EXHIBIT IS PREPARED FROM RECORD DATA IT IS NOT BASED ON A SURVEY



PREPARED BY:

Javed T. Siddiqui

JAVED T. SIDDIQUI RCE 25924

2004-067