

RESOLUTION NO. 2006-222

Adopted by the Sacramento City Council

March 28, 2006

APPROVING THE VACATION OF 15-FOOT WIDE PUBLIC UTILITY EASEMENT WITHIN PARCEL 1, 2, 3 AND 4 OF PARCEL MAP ENTITLED "VALLEY PLAZA" LOCATED IN COUNCIL DISTRICT 8 VACATION PROCEEDING NO. VP04-04

BACKGROUND

- A. "Mr. Robert Nolasco" requested the City to vacate the subject public utility easement 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 8310-8325.
- 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 15-foot wide public utility easement within parcel 1, 2, 3, and 4 of Parcel Map entitled "Valley Plaza" within Council District 8, 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 8310-8325. The City Council finds that the subject public utility easement is no longer necessary for present or future public use.
- Section 3. 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 and applicable Community Plan.
- Section 4. This vacation is subject to the following conditions:
 - a. The applicant shall construct and provide the following conditions to the satisfaction of the Department of Utilities:
 - i. Water main extensions shall be constructed to provide the same standard of water service that currently exists for the existing

constructed in Mack Road from the existing 8" water main near the western end of the site where the existing on-site water system is currently tied, to the private north-south road and north in the private road to the existing 6" water main (approximately a 700' main extension). The main extension configurations shall be to the satisfaction of Department of Utilities. The applicant shall submit pipe network calculations for the proposed water distribution system to the Department of Utilities for review that show no negative effect on the existing townhouse development.

- ii. Verify that the existing sewer lines connected by manholes 510, 518, 517, 515 and 514 are located within the existing PUE. If the existing sewer lines are not within the existing PUE, easements shall be dedicated to the City of Sacramento to the satisfaction of the Department of utilities.
 - iii. Verify that the existing water line running north-south from the tee between 502 and 503 to the 90 degree elbow approximately 50' south of hydrant 506 is located within the existing PUE. If the existing waterline is not within the existing PUE, easements shall be dedicated to the City of Sacramento to the satisfaction of the Department of utilities.
- b. At no cost to PG & E, the applicant shall cut off existing underground gas services and dedicate a new easement covering the new location of any gas facilities (if applicable) to the satisfaction of PG & E.
 - c. At no cost to SBC, the applicant shall dedicate right-of-ways to cover all SBC facilities within the project site. The applicant shall relocate existing SBC facilities and dedicate new easements for the relocation of SBC facilities to the satisfaction of SBC.
 - d. The applicant shall submit and obtain approval for sewer abandonment to County Sanitation District 1 (CSD-1).

Section 5. The conditions 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: Exhibit Plat/Map -- 1 Page
Exhibit B: Legal Description -- 1 Page

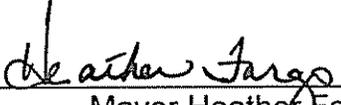
Adopted by the City of Sacramento City Council on March 28, 2006 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.

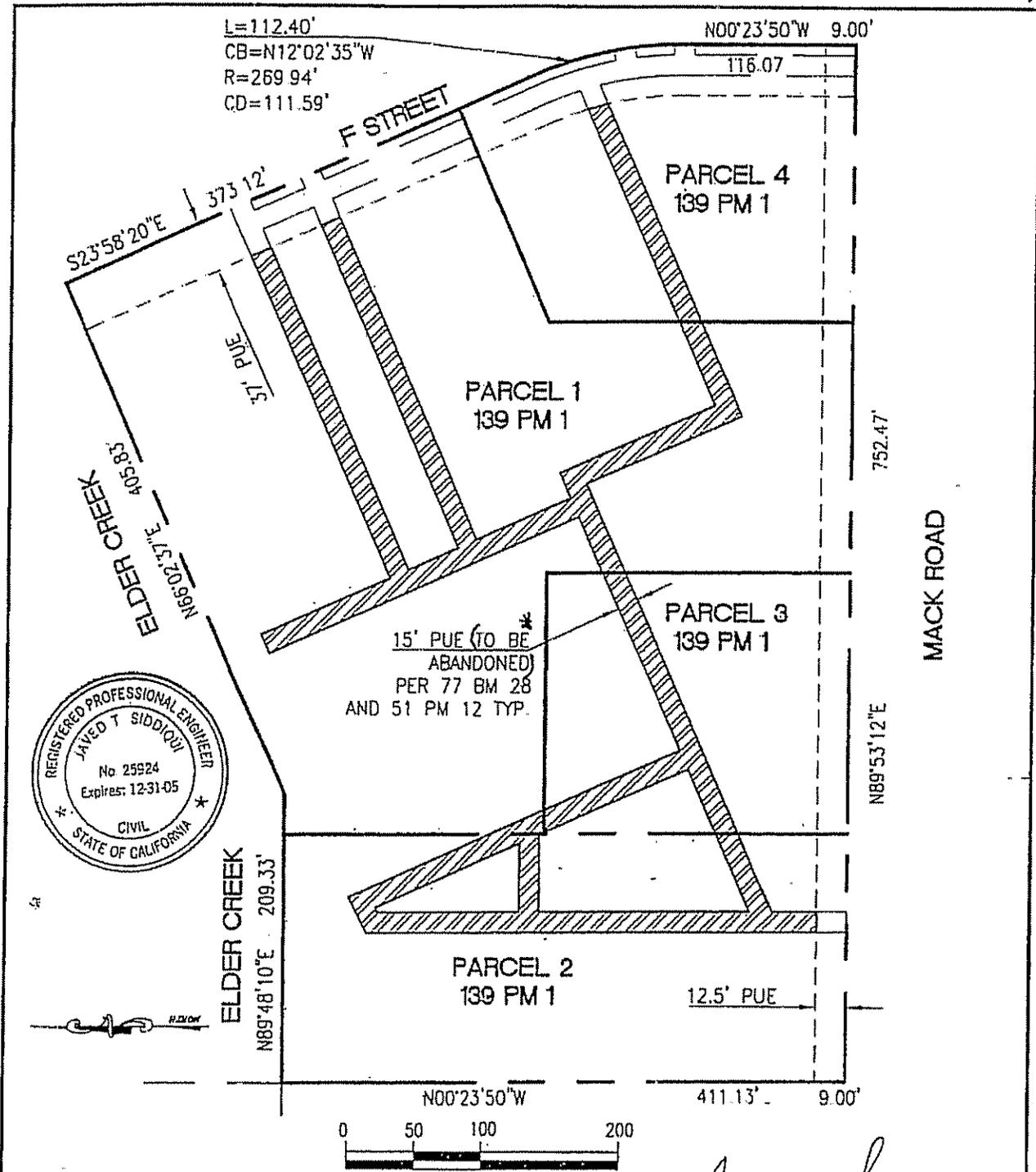


Mayor Heather Fargo

Attest:



Shirley Concolino, City Clerk



NOTE:
 THIS EXHIBIT IS PREPARED FROM RECORD DATA.
 IT IS NOT BASED ON A SURVEY. *15' PUE ABANDONMENT REQUESTED

PREPARED BY: *Javed T. Siddiqui*
 JAVED T. SIDDIQUI RC# 25924
 3-27-04

JTS ENGINEERING CONSULTANTS, INC. <small>1108 J STREET SACRAMENTO CALIFORNIA 95814 (916) 441-1728</small>	SCALE: 1"=100'	EXHIBIT "A" 15' P.U.E. EASEMENT ABANDONEMENT APN:118-0111-062, 063, 064, 065 COUNTY OF SACRAMENTO CALIFORNIA
	DATE: 03-12-04	
	DRAWN: CJK	
	CHECKED: JTS	
	JOB No: 2001-088	

EXHIBIT "B"

Page 1 of 1

*Legal Description for Abandonment of a 15' Public Utility Easement
5701 Mack Road*

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

Being a portion of *Parcels 1, 2, 3 and 4* as shown on the Parcel Map entitled "*Valley Plaza*", recorded on April 22, 1994, in *Book 139 of Parcel Maps, at Page 1 (139PM1)*, of Official Records of Sacramento County.

All of those *15' Public Utility Easements* depicted on Maps filed in *Book 77 of Maps, at Page 28 (77BM28)* and filed in *Book 51 of Parcel Maps, at Page 12 (51PM12)*, within the area bounded by Mack Road to the South, the 37' Public Utility Easement along "F" Street to the East, Elder Creek to the North and the Westerly property line of *Parcel 2*, as depicted on the said Parcel Map of "*Valley Plaza*", filed in *Book 139 of Parcel Maps, Page 1 (139PM1)*. These 15' Public Utility Easements are more particularly depicted of attached *Exhibit "A"*.

End of Legal Description

Prepared by JTS Engineering from record data



Javed T. Siddiqui
Javed T. Siddiqui, RCE 25924

Date: *3/22/04*