

# Oversight Board for Redevelopment Agency Successor Agency (RASA)

05

**Meeting Date:** 12/16/2013**Report Type:** Consent**Title:** Transfer of L Street and 6<sup>th</sup> Street Alley Rights of Way Easements to the City of Sacramento as Government Purpose Assets**Recommendation:** Pass a Resolution authorizing RASA to Transfer L Street and 6<sup>th</sup> Street Alley Rights of Way Easements to the City of Sacramento**Contact:** Sheryl Patterson, Attorney for RASA and Senior Deputy City Attorney, City of Sacramento Office of the City Attorney, (916) 808-7292**Presenter:** None

**Issue:** This report explains the basis for transferring the Redevelopment Agency of the City of Sacramento's (Agency) interest in two easements which encompass the sidewalk along L Street between 5<sup>th</sup> and 6<sup>th</sup> Streets and a portion of the alley behind the historic Ramona building along the 6<sup>th</sup> Street alley. Since these easements encompass city streets, they are considered government purpose assets and the transfer can occur separately from the Long Range Property Management Plan process.

When the Downtown Plaza mall was originally constructed in the 1970s, the Agency conveyed property to the developer, but for some reason retained easements over portions of the street right of way along L Street and the 6<sup>th</sup> Street alley. Generally, the City of Sacramento (City) receives dedication of a street right of way from a developer/landowner, and that easement extends from the centerline of the street to the back of the sidewalk, which is the property line that separates public versus private property. In this case, the Agency retained public right of way easements when it conveyed its property to the mall developer. Exhibit A is an excerpt of the 1971 grant deed that reserved these two public use easements.

The L Street easement encompasses the sidewalk and burdens a separate parcel of land created by the recording of a 1970 parcel map, a copy of which is provided as Exhibit B. The 6<sup>th</sup> Street easement was over a portion of the alley behind the mall along 6<sup>th</sup> Street, which wraps around the Ramona building that is now owned by the Church of Scientology. That portion of 6<sup>th</sup> Street on the east side of the building is owned in fee by RASA and is to be transferred to the City by action of the Oversight Board on October 21, 2013. The City already holds a street right of way easement over that portion of 6<sup>th</sup> Street on the west side of the building. The entire street loop is paved and open to the public for use as a City street, even though the City only holds a right of way easement over a portion of this street. Under the dissolution statutes, RASA is to convey or sell all of its property interests. There is no need for RASA to continue to hold these easements over these public street improvements. Therefore, these easements should be transferred to the City as government use assets.

**Attachments:**

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- 1- Exhibit A – 1971 Grant Deed Excerpt Reserving Easements
- 2- Exhibit B – 1970 Parcel Map depicting Parcel A-4, the L Street Easement Area
- 3- Exhibit C - Aerial Photographs of L Street and 6<sup>th</sup> Street Easement Areas
- 4 – Resolution Authorizing RASA to Transfer L Street and 6<sup>th</sup> Street Alley Rights of Way Easements to the City of Sacramento

Exhibit A  
Grant Deed Reservation of Right of Way Easements

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0310

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EXHIBIT "A"

Parcels U-2, U-4, A-2 and A-4, as shown on the "Parcel Map Portion of Blocks Bounded by 5th, 7th, J and L Streets", recorded in the office of the Sacramento County Recorder on July 29, 1970, in Book 3 of Parcel Maps, at Page 24.

EXCEPTING THEREFROM any portion of said property lying within Parcels G, E-1 and E-2, as said Parcels are shown on the above referred to Parcel Map.

ALSO EXCEPTING THEREFROM all that certain parking structure and improvements related thereto (including, without limitation, all piles, pile caps, foundations, footing and structural elements thereof) lying within and beneath said Parcels G, E-1 and E-2.

\* Reserving to the grantor a public easement and right of way for street purposes across Parcel A-4.

\* Reserving to the grantor a public easement and right of way across that portion of the Northerly 4 feet of Parcel U-2 lying Easterly of the centerline of 6th Street and being contiguous with the Southerly right of way line of Merchant Street.

Exhibit B  
Parcel Map L Street Easement

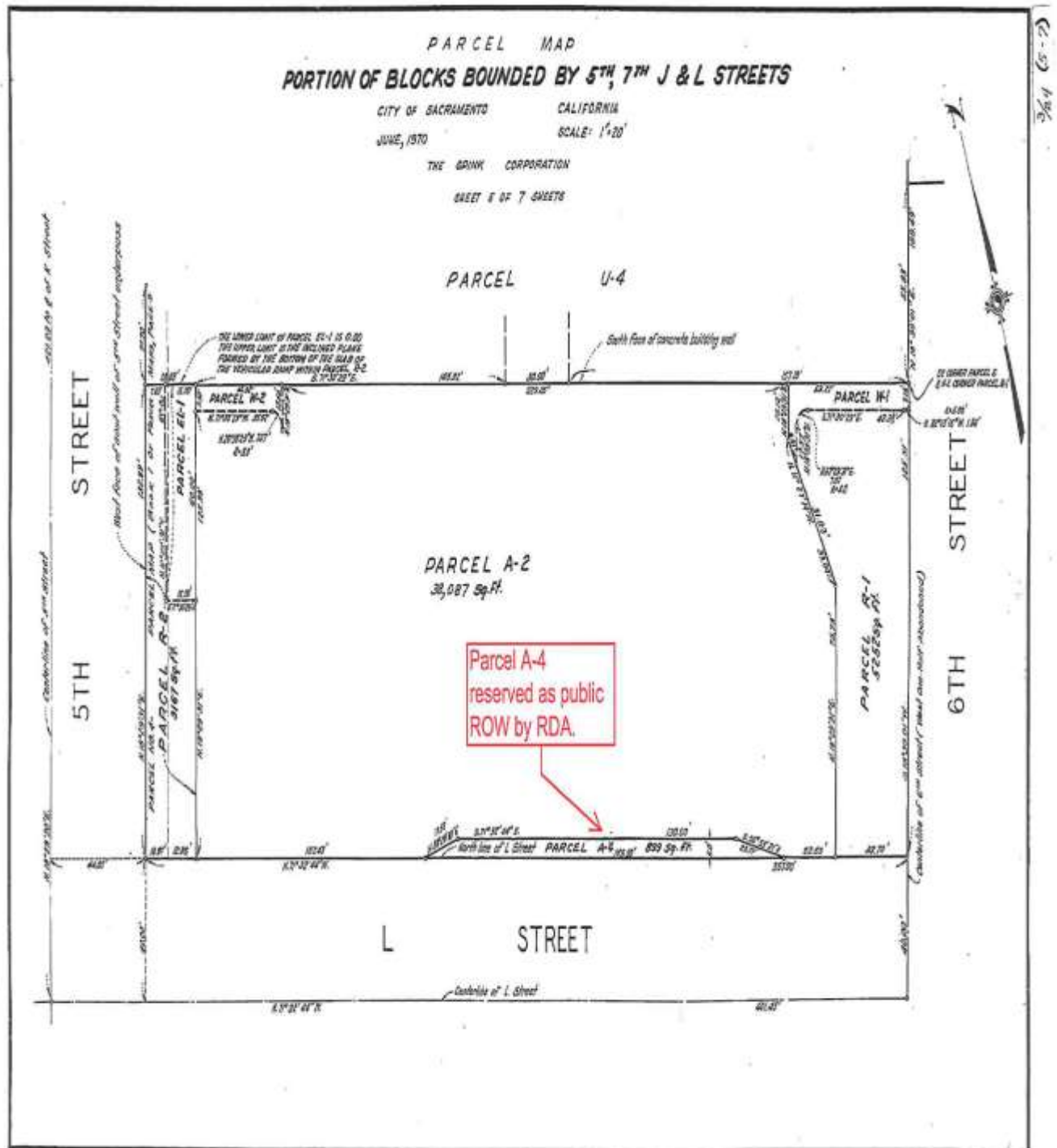
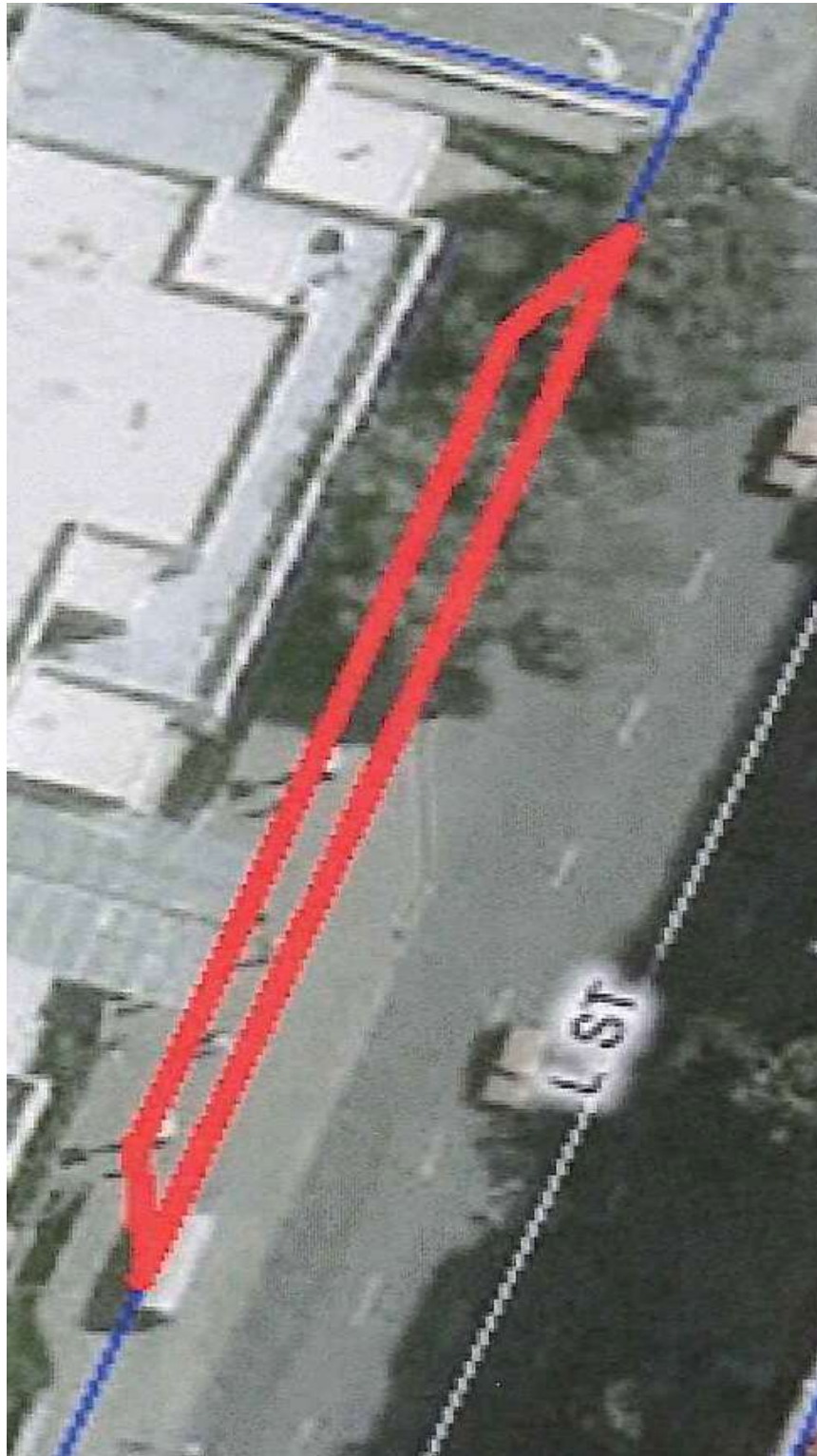


Exhibit C  
Aerial Photo L Street and 6<sup>th</sup> Street Alley Easements





**RESOLUTION NO. 2013-**

Adopted by  
Oversight Board for  
Redevelopment Agency Successor Agency

December 16, 2013

**AUTHORIZING THE REDEVELOPMENT AGENCY SUCCESSOR AGENCY  
TO TRANSFER L STREET AND 6<sup>TH</sup> STREET ALLEY RIGHTS OF WAY  
EASEMENTS TO THE CITY OF SACRAMENTO**

**BACKGROUND**

- A. In the 1970's, the Redevelopment Agency of the City of Sacramento (Agency) transferred its property interests to facilitate construction of the Downtown Plaza mall. The Agency reserved two public use easements over a portion of the sidewalk along L Street between 5<sup>th</sup> and 6<sup>th</sup> Streets and along a portion of the 6<sup>th</sup> Street alley behind the Ramona Building for public use.
- B. Under Health and Safety Code Section 34181(a), the Redevelopment Agency Successor Agency (RASA) is to dispose all of its property interests and to transfer to the City of Sacramento (City) property assets that are used for a government purpose, such as public streets.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE OVERSIGHT  
BOARD FOR REDEVELOPMENT AGENCY SUCCESSOR AGENCY RESOLVES AS  
FOLLOWS:**

- Section 1. The transfer by RASA to the City of two public use easements, which were reserved under the Grant Deed between the Agency and Downtown Plaza Associates dated March 16, 1970 and recorded at Book 71-0316 at Page 425, as described below is hereby approved:

Along a portion of L Street over Parcel A-4 as shown on that certain Parcel Map entitled "Portions of Blocks Bounded by 5<sup>th</sup>, 7<sup>th</sup>, J & L Streets," which map was recorded on July 29, 1970 in Book 3 of Parcel Maps at Page 24, at the Office of the County Recorder of the County of Sacramento.

Along a portion of the 6<sup>th</sup> Street alley described as the Northerly 4 feet of Parcel U-2 lying Easterly of the centerline of 6<sup>th</sup> Street and being contiguous with the Southerly right of way line of Merchant Street.