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DEPARTMENT OF  
PUBLIC WORKS  
DEVELOPMENT SERVICES

CITY OF SACRAMENTO  
CALIFORNIA

927 TENTH STREET  
ROOM 100  
SACRAMENTO, CA  
95814-2795

916-449-8210  
FAX 916-449-8678

**APPROVED**  
BY THE CITY COUNCIL

MAY 21 1991

OFFICE OF THE  
CITY CLERK

May 21, 1991

City Council  
Sacramento, California

Honorable Members In Session:

**SUBJECT: ABANDONMENT OF EXCESS RIGHT-OF-WAY LOCATED AT 644 GRAND AVENUE - SUMMARY  
AP NO. 91-04**

**SUMMARY**

The Department of Public Works requests that the City Council adopt a resolution abandoning a 8' x 143' strip of land that has been deemed by the City to be excess right-of-way.

**BACKGROUND**

Timothy Terry is requesting the abandonment of a 8' x 143' strip of excess right-of-way adjacent to Knightlinger Street which was constructed to a 40' section. The remaining 10' wide strip of land from the back of sidewalk is excess right-of-way excepting a 2' easement immediately back of walk, which will be retained. The applicant wishes to use the property for landscaping purposes.

The proposed abandonment, exempt from the City's "Review Guidelines for Street Closures," was reviewed by staff and found to be in conformance with state law. City staff and affected public utility agencies have no objection to this abandonment. A Notice of Exemption for this abandonment was filed with the County Clerk on May 1, 1991.

**FINANCIAL DATA**

A processing fee of \$250 was charged to the applicant. There is no expense to the City.

**POLICY CONSIDERATIONS**

Section 8300 et seq. of the State of California and Highways Code allows for abandonment of streets, alleys, and easements that are not longer needed for public use. The local governing body is the approving authority and may reserve such rights as may be needed (e.g., retaining the utility easement when approving a street abandonment). City policy, as stated in Resolution No. 82-509 which was approved by the City Council on July 20, 1982, provides for abandonment of local streets so long as there is a benefit to the community, it does not inhibit access to other properties and would be supported by the majority of property owners. This abandonment is consistent with these policies.

**MBE/WBE EFFORTS**

None, since no goods or services are being procured with this action.

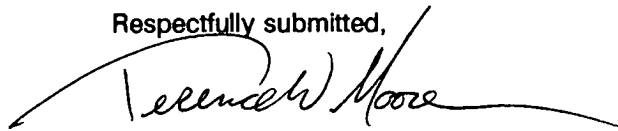
**VOTE OF COMMISSION**

The proposed abandonment is exempt from review under Section 65402 of the California Government Code.

**RECOMMENDATION**

It is recommended that the attached resolution approving the abandonment be adopted, which is the final order in the proceedings for the abandonment.

Respectfully submitted,



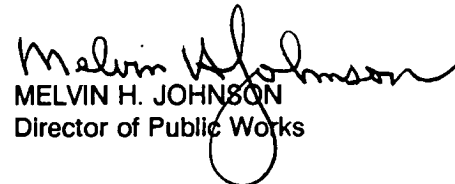
TERENCE W. MOORE  
Supervising Engineer

Recommendation Approved:



WALTER J. SLIPE  
City Manager

Approved:



MELVIN H. JOHNSON  
Director of Public Works

RR:yg  
DS3-04AB.C  
05.1091.1

May 21, 1991  
District No. 2

Attachment

**CONTACT PERSON**

Fran Lee Halbakken, Senior Engineer  
449-2194

# RESOLUTION NO. 91-360

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

SUMMARY VACATION AND ABANDONMENT OF  
EXCESS RIGHT-OF-WAY LOCATED AT 644 GRAND  
AVENUE

ABANDONMENT PROCEEDING NO. 91-04

**APPROVED**  
BY THE CITY COUNCIL

MAY 21 1991

OFFICE OF THE  
CITY CLERK

WHEREAS, in accordance with Section 8300, et. seq., of the Streets and Highways Code of the State of California, the City Council hereby vacates and abandons a portion of the following described easement:

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

That a certain 8' x 143' strip of land abutting on the easterly property line of Lot 1, in Block 18, West Del Paso Heights Tract, recorded in the office of the Recorder of Sacramento County on December 5, 1911, in Book 12 of Maps, Map No. 52.

### CONDITIONS OF ABANDONMENT:

1. Retain a 2' Public Utility Easement

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the City Council does hereby find and declare that all of the facts, as set forth in this resolution, are true and correct; that by reason of the findings and premises aforesaid said street is above set forth and described, is hereby declared abandoned and vacated.

IT IS FURTHER ORDERED that a copy of this resolution, attested by the Clerk of this Council, be recorded in the office of the Recorder of County of Sacramento.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

DS3-4AB.C  
05.1091.1

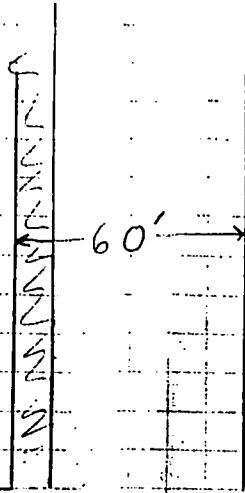
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### FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

EXHIBIT



GRAND AVE

1 square = 10'

2' back of curb right of

Back of city curb

644 Grand Ave  
APN 250-0091-012-0000

Knightlinger St.

ALLEY

14'

Subject Alowdownment  
Existing vacant strip of dirt  
8' x 143'