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# CITY OF SACRAMENTO

## DEPARTMENT OF PUBLIC WORKS

ENGINEERING

March 5, 1985

CITY MANAGER'S OFFICE  
**RECEIVED**  
MAR 18 1985

Administration, Rm. 300	(916) 449-5307
Architecture, Rm. 302	(916) 449-5307
Civil Engineering, Rm. 207	(916) 449-5281
Construction, Rm. 207	(916) 449-5281
Electrical Engineering, Rm. 304	(916) 449-5287
Real Estate, Rm. 300	(916) 449-5307
Traffic Engineering, Rm. 300	(916) 449-5307

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT:** Hearing on the Resolution of Intention to Abandon The Unnamed Street (Unofficially Known as "East Bannon Street"), from North 5th Street to Bannon Street, Abandonment Proceeding No. 5473.

SUMMARY:

It is requested the the City Council adopt a Resolution of Intention abandoning the unnamed street (unofficially known as "East Bannon Street"), from North 5th Street to Bannon Street, which is not needed for public purposes. Adoption of the Resolution is recommended.

BACKGROUND INFORMATION:

Robert Grant has requested the abandonment of the unnamed street (unofficially known as "East Bannon Street"). The applicant's client owns both sides of the subject unimproved dirt street. Said street has never been improved or maintained by the City of Sacramento.

The various utility companies have stated that they have no objection to the proposed abandonment.

On March 5, 1985, the City Council adopted the Resolution of Intention setting a Hearing for this date on the proposed abandonment pursuant to the requirements of the Streets and Highways Code of the State of California. Attached is the Engineer's Report relating the facts on said abandonment.

We have been advised by the City Clerk that no protests have been received.

FINANCIAL DATA:

No City Funds are to be expended for this abandonment.

**APPROVED**  
BY THE CITY COUNCIL

MAR 16 1985

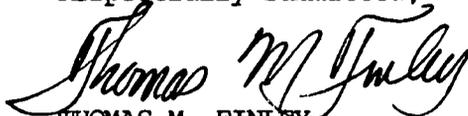
OFFICE OF THE  
CITY CLERK

City Council  
Hearing Letter for Abandonment on  
East Bannon Street  
March 26, 1985  
Page 2

RECOMMENDATION:

As no protests have been received and if none are presented at the Hearing, it is recommended that the Hearing be closed and the Council approve the Engineer's Report and adopt the attached Abandonment Resolution which is the final order in the proceedings.

Respectfully submitted,



THOMAS M. FINLEY  
Engineering Division Manager

Recommendation Approved:



WALTER J. SLIPE  
City Manager

Approved:



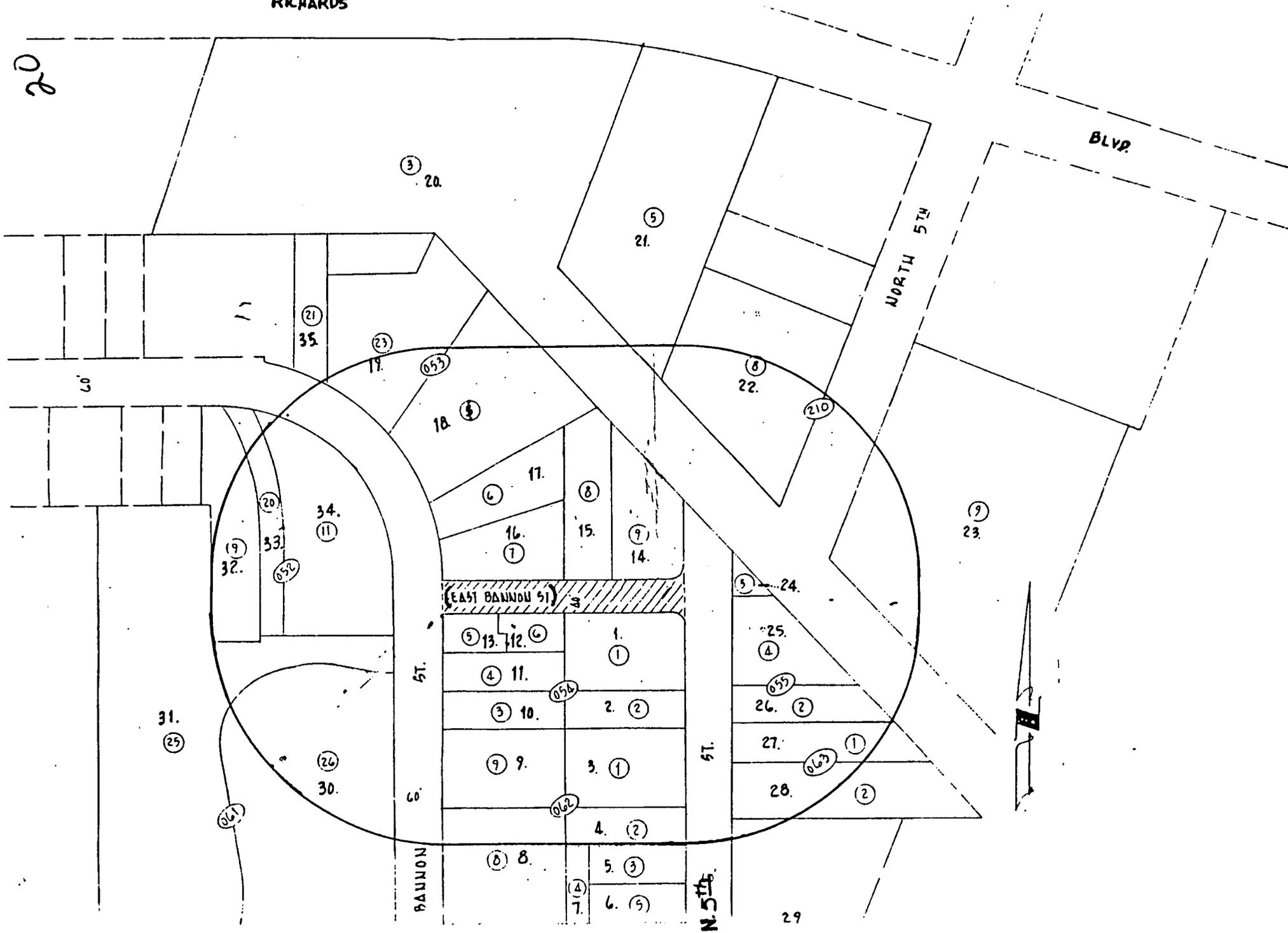
MELVIN H. JOHNSON  
Director of Public Works

RW:yg  
Attachments  
File No. 5473

March 26, 1985  
District No. 1

RICHARDS

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# RESOLUTION NO. 85-224

Adopted by The Sacramento City Council on date of

MARCH 26TH, 1985

APPROVED  
BY THE CITY COUNCIL

RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING  
THE VACATION AND ABANDONMENT OF THE UNNAMED STREET  
(UNOFFICIALLY KNOWN AS " EAST BANNON STREET") FROM  
NORTH 5TH STREET TO BANNON STREET

FOR ABANDONMENT PROCEEDING NO. 5473

WHEREAS, the City received a Petition to Vacate from owners of property within the City of Sacramento, requesting a public hearing before the City Council to consider abandoning and vacating ,

WHEREAS, the City Planning Commission on February 14, 1985, reviewed the proposed vacation pursuant to Government Code Section 65402 and concluded that said vacation would be consistent with the City General plan and the applicable Community Plan;

WHEREAS, notice that the City Council would consider the proposed vacation at a public hearing was given in compliance with California Streets and Highways Code Sections 8322 and 8323.

WHEREAS, a public hearing to consider the proposed vacation was held before the City Council at 7:30 P. M. on March 26, 1985, in the City Council Chambers and the City Council heard all evidence offered by any and all parties interested in the proposed vacation.

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

1. The public Street located in the City of Sacramento County of Sacramento, State of California and specifically described below are hereby ordered vacated:

All that portion of Swamp Land Survey No. 926, Sacramento County Surveys, more particularly described as follows:  
 BEGINNING at the point of intersection of the North right-of-way line of East Bannon Street, a forty-foot wide City Street, with the East right-of-way line of Bannon Street, a sixty-foot wide City Street, said point of beginning also being the Southwest corner of that certain real property described as Parcel No. 2 in the deed from River City Roofing Inc., a Corporation to Robert B. Matheson and Carole L. Matheson, recorded in the office of the Recorder of Sacramento County, in Book 84 08 31, at Page 2369, of Official Records; thence South 89° 41' 43" East 300.00 feet along said North right-of-way line and the South line of said Parcel No. 2, and the Easterly

production thereof, to a point in the West right-of-way line of North 5th Street, a sixty-foot wide City Street; thence South 00° 05' 44" West 40.00 feet along said West right-of-way line to ther Northeast corner of that certain real property described as Parcel No. 2 in the deed from M.M.T. Partnership, a Limited Partnership to Robert B. Matheson and Carole L. Matheson, recorded in the office of the Recorder of Sacramento County in Book 83 12 30, at Page 4483, of Official Records; thence North 89° 41' 43" West 300.00 feet along the South right-of-way line of said East Bannon Street and the North line of said Parcel No. 2, and the Westerly production thereof, to a point in the East right-of-way line of said Bannon Street; thence North 00° 05' 44" East 40.00 feet along said East right-of-way line ot the point of beginning. INCLUDING any and all existing round corner rights-of-ways appurtenant to the above described street right-of-way. RESERVING HOWEVER, the North 30.00 feet of the above described real property for the right of entry to repair, maintain and construct sewer, water and gas pipes and aerial or underground power, telephone and other communication facilities now in place in said Streets, or which from time to time may be placed therein, and to the City of Sacramento for ingress and egress purposes.

(A map or plan of the proposed abandonment is on file in the office of the Director of Public Works, which shows the required construction of improvements to make the abandonment final.)

2. The above described public Street is unnecessary for present or prospective public use in that:

- a. It does not affect any existing tract restrictions.
- b. Planning Commission and City Engineers have reviewed said abandonment and found that it will not interfere with the traffic flow in the area or affect the aesthetics of the neighborhood.
- c. The parcels adjacent to the abandoned Street described above have other access and said abandonment will not create any land locked parcels.

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MAYOR

ATTEST:

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CITY CLERK

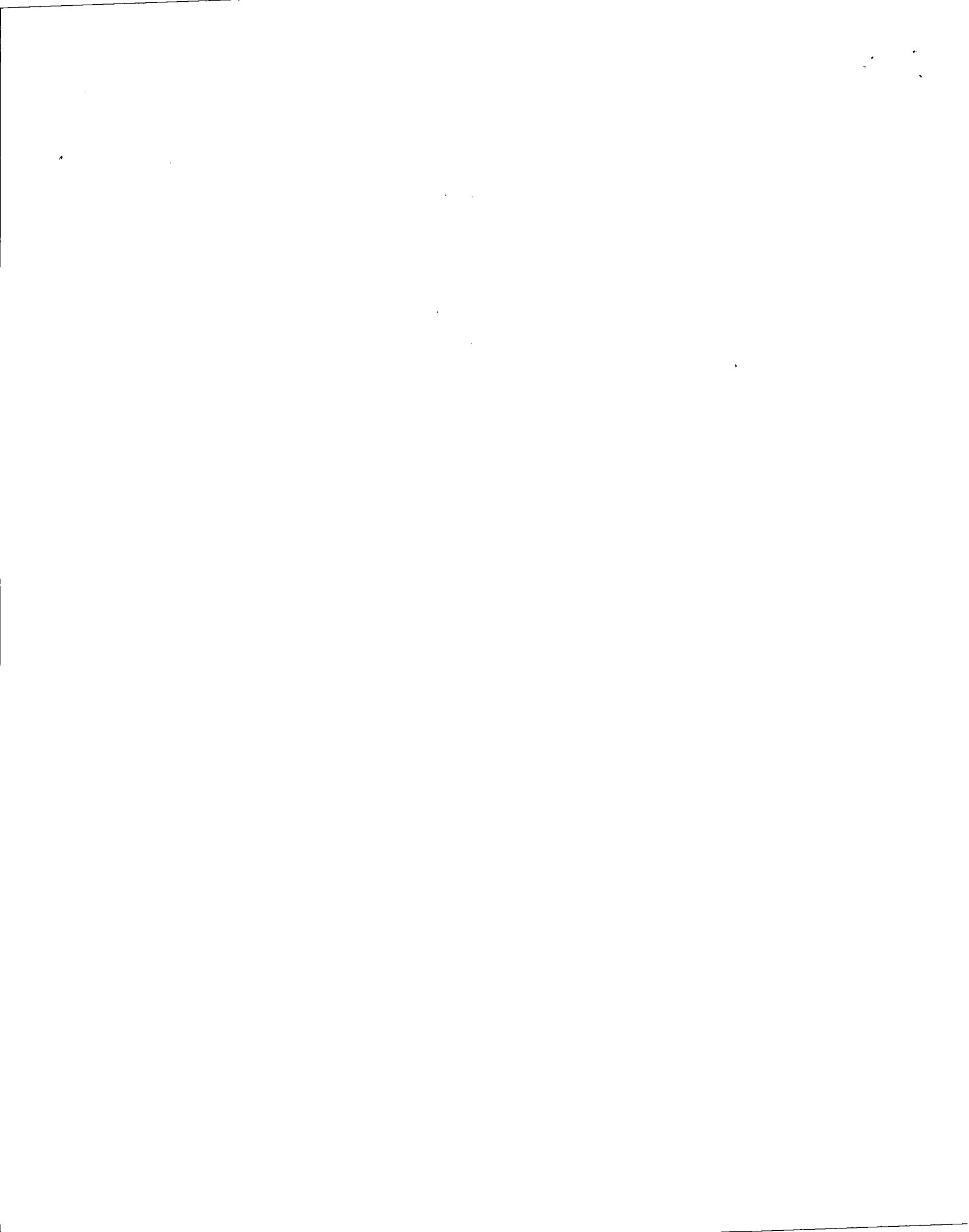


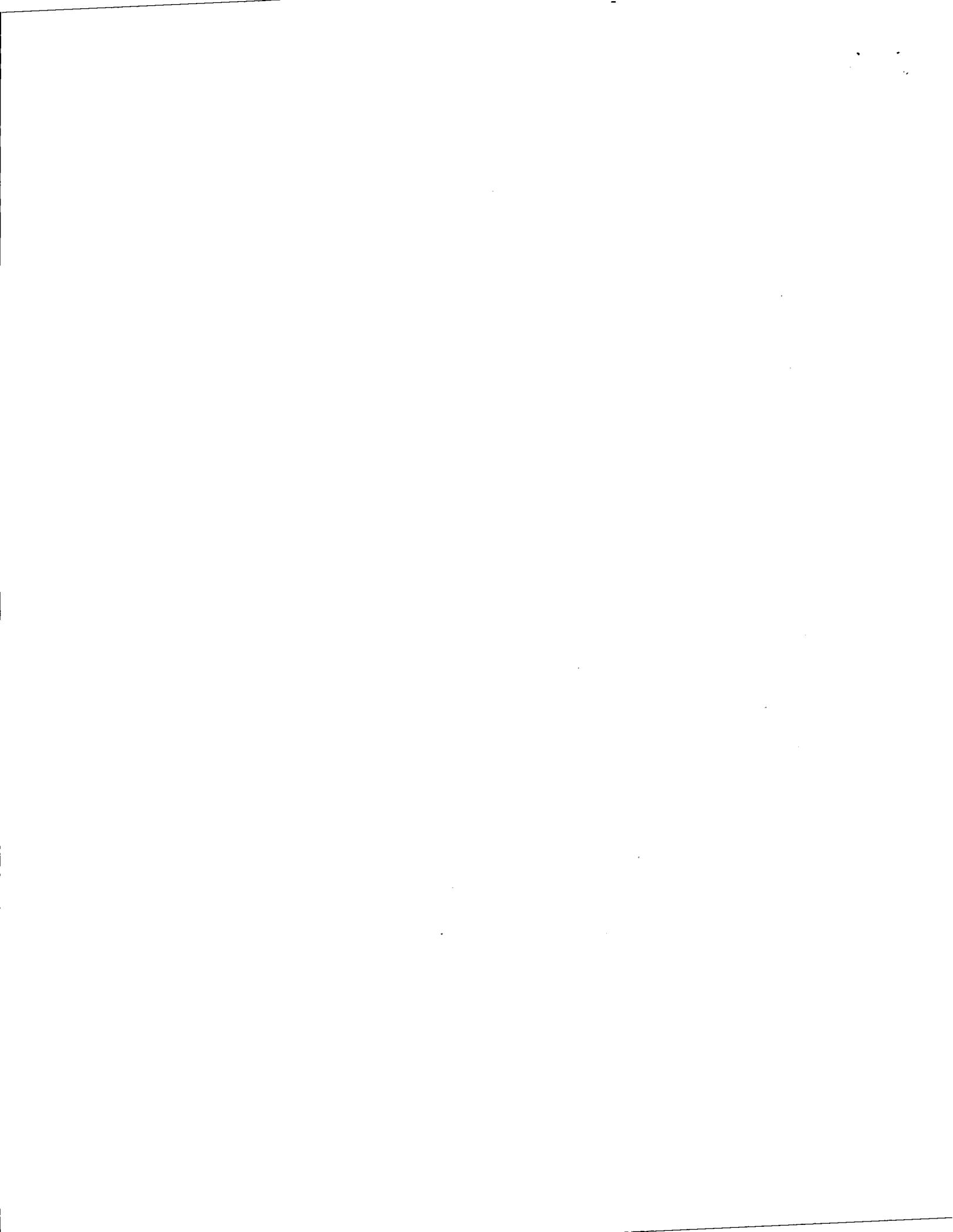
EXHIBIT "A"  
CITY COUNCIL OF THE CITY OF SACRAMENTO  
March 26th, 1985

In the Matter of Abandonment )  
Proceeding No. 5473, Abandonment )  
of The Unnamed Street (Unofficially ) ENGINEER'S REPORT  
Known as "East Bannon Street"), from )  
5th Street to Bannon Street )

A Public Hearing is scheduled for this date pertaining to the proposed abandonment Of The Unnamed Street (Unofficially Known as "East Bannon Street"), from North 5th Street to Bannon Street.

This proposed abandonment has been undertaken due to the following facts:

1. A request from Robert Grant, presented to the City Council on March 5th, 1985.
2. That on March 5th, 1985, the Director of Public Works presented to the Council the Resolution of Intention for the abandonment for approval. On that date, the Council did approve said Resolution of Intention, which set a Hearing date on the abandonment of this date.
3. That on March 6th, 1985, a copy of the Resolution of Intention was mailed to all persons within a 300' radius of said abandonment notifying them of the Hearing set for this date.
4. That on March 8th, and March 15th, 1985, the Resolution of Intention was published in the Daily Recorder.
5. That on March 12th, 1985, Notices were posted along the proposed abandonments.



6. The abandonment would consist of abandoning the Unnamed street (Unofficially Known as "East Bannon Street"), from North 5th Street to Bannon Street.

7. That the various utility companies (SMUD, PT & T and PG & E) and the City Water and Sewer Division have submitted letters stating they have no objection to the abandonment, provided public easements are retained to permit maintenance of existing or future facilities.

8. It is my opinion that said abandonment will not affect the aesthetics of the neighborhood or cause any undue hardship on City.

Executed this 26th day of March, 1985

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MELVIN H. JOHNSON  
DIRECTOR OF PUBLIC WORKS