



11.2

DEVELOPMENT SERVICES
DEPARTMENT

CITY OF SACRAMENTO
California

Vacations (Abandonments)
Public Right-of-Ways & Easements
1231 I Street, Room 200
Sacramento, CA 95814
PH 916-808-7873
FAX 916-808-5786

DEVELOPMENT ENGINEERING
AND FINANCE

April 8, 2004

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: THE VACATION (ABANDONMENT) OF THE PUBLIC ROAD RIGHT-OF-WAY, A PORTION OF 24TH STREET BETWEEN "C" STREET AND THE UNION PACIFIC RAILROAD RIGHT-OF-WAY WITHIN COUNCIL DISTRICT 3 VACATION PROCEEDING NO. VP03-16

LOCATION AND COUNCIL DISTRICT:

24th Street between "C" Street and the Union Pacific Railroad right-of-way in Council District 3 (see Attachment "A")

RECOMMENDATION:

This report recommends that the City Council adopt the attached resolution:

- Approving the vacation of the said public road right-of-way portion of 24th Street.

CONTACT PERSONS: Bob Robinson, Supervising Surveyor, 808-8970
Cesar Narvaez, Engineering Technician II, 808-7873

FOR COUNCIL MEETING OF: May 11, 2004

SUMMARY:

The Courtyard Private School has requested the City to vacate the said road right-of-way portion of 24th Street adjacent to the their proposed private school site to provide a play area and parking for the school employees and visitors.

COMMITTEE/COMMISSION ACTION:

The City Planning Commission has reviewed and determined that the vacation of the said public road right-of-way is consistent with the City's General Plan.

BACKGROUND INFORMATION:

- The Courtyard Private School owns the adjacent properties to the portion of 24th Street proposed for vacation. The Courtyard Private School has applied for Planning Entitlements (P02-104) to the City to develop these properties into a private school. The area of the proposed vacation would serve as a play area and parking for the school employees and visitors. On April 8, 2004 the Planning Commission held a hearing regarding the proposed private school. And the Planning Commission approved the project and finds that the proposed vacation is consistent with the City's General Plan.
- City departments and utility companies have reviewed this request for vacation. Letters regarding this vacation are on file with the Development Services Department, Development Engineering Division.
- Staff has reviewed the request for vacation and finds the vacation in conformance with Streets and Highways Code, Section 8310-8317.
- Notice of vacation was posted along the subject right-of-way on April 26, 2004 and the public hearing date was published in the Daily Recorder on April 26, 2004 and May 3, 2004 (see Attachment "B" for the time schedule for this vacation).
- Following vacation, the titles to the subject properties are cleared of the public road right-of-way.

FINANCIAL CONSIDERATIONS:

The applicant is responsible for all fees required to process the vacation application and there is no cost to the City.

ENVIRONMENTAL CONSIDERATIONS:

The Environmental Services Manager has determined that the proposed project will not have a significant impact to the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070(B)1 of the California Environmental Quality Act (CEQA) Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified impacts or to mitigate such impacts to a point where clearly no significant impacts will occur.

POLICY CONSIDERATIONS:


- The Council action recommended in this report supports the City Strategic Plan goal to promote and support economic vitality.
- The State of California, Streets and Highways Code, Section 8310-8317 allows for the vacation of streets, alleys, and easements.

City Council
Vacation (VP03-16)
April 8, 2004

ESBD CONSIDERATIONS:

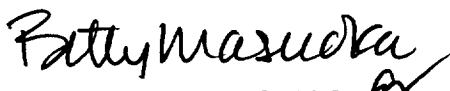
City Council adoption of the attached resolution is not affected by City policy related to the ESBD Program.

Respectfully submitted,



Gary Alm
Development Services Manager

RECOMMENDATION APPROVED:



ROBERT P. THOMAS *RT*
City Manager

Approved:



Betty Masuoka
Assistant City Manager

TABLE OF CONTENTS:

1. Attachment A, Location map, pg. 4
2. Attachment B, Noticing Schedule, pg. 5
3. Resolution Adopting Findings of Fact and Approving the Vacation pg. 6
4. Exhibit A, Exhibit Map, pg. 8
5. Exhibit B, Legal Description, pg. 9

RR/dkl

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ATTACHMENT "A"

**SUTTER'S LANDING
REGIONAL PARK**

GRANT PARK

**PUBLIC ROAD RIGHT-OF-WAY
SUBJECT FOR VACATION**

**UNION PACIFIC RAILROAD
RIGHT-OF-WAY**

22ND ST

25TH ST

24TH ST

C ST

D ST

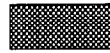
23RD ST

26TH ST

E ST

F ST

LEGEND:



Courtyard Private School Properties



Property with APN # 003-0091-001



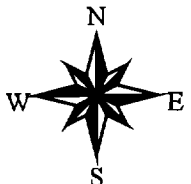
Union Pacific Railroad Right-of-way

200 0 200 400 600 Feet



Development Services
Department

VACATION, VP03-16
Public road right-of-way portion of 24th Street
between "C" Street and the Union Pacific
Railroad Right-of-way



ATTACHMENT B

NOTICING SCHEDULE

VACATION PROCEEDING NO. VP03-16

Posting on Alleys/Street	April 26, 2004
1 st Copy of Resolution Published in Daily Recorder	April 26, 2004
2 nd Copy of Resolution Published in Daily Recorder	May 3, 2004

Public Hearing at City Council	May 11, 2004
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RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

THE VACATION OF THE PUBLIC ROAD RIGHT-OF-WAY, A PORTION OF 24TH STREET BETWEEN "C" STREET AND THE UNION PACIFIC RAILROAD RIGHT-OF-WAY WITHIN COUNCIL DISTRICT 3

VACATION PROCEEDING NO. VP03-16

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

- A. WHEREAS, the City received a request from Courtyard Private School to vacate the subject public road right-of-way within the City of Sacramento; and
- B. WHEREAS, the City Council would consider the vacation in compliance with the State of California, Streets and Highways Code, Section 8310-8317, and
- C. WHEREAS, the City Planning Commission 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; and

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

The public road right-of-way portion of 24th Street between "C" Street and the Union Pacific Railroad right-of-way, specifically described in Exhibit "A" and Exhibit "B", is hereby ordered vacated subject to the conditions specified in this resolution.

Reserving however, a public service easement (as defined in Section 8306 and 8340 of the California Streets and Highways Code) and 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 that public road right-of-way to be vacated, specifically shown in Exhibit "B" and described in Exhibit "A" and attached hereto.

- 1. The City Council hereby finds that said vacation has been submitted to and reported on by the City Planning Commission as to conformity with the City General Plan. The Council, pursuant to the State of California, Streets and Highways Code, Section 8310-8317 has considered this vacation in connection with the General and

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RESOLUTION NO.: _____

DATE ADOPTED: _____

Community Plans and finds the vacation is consistent.

2. This vacation is subject to the following conditions:
 - a. The applicant shall provide the following requirement and construct the following public improvements to the satisfaction of the Development Services Department:
 - I. Provide proof of ingress, egress and maneuvering easement/agreement between the Courtyard Private School and the property south of the vacated road with APN # 003-0091-001.
 - II. Proper signage shall be installed on the vacated public road.
 - III. Any new sidewalk, driveway or access ramp constructed with this vacation shall conform with American Disability Act (A.D.A) requirements in all respects.

The applicant shall submit public improvement plans and obtain notice to proceed from the Development Services Department to execute the above mentioned improvements.

3. All conditions specified in paragraph 2 of this resolution must be completed within two years of the date of this resolution. If all the 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.
4. Once the conditions in paragraph 2 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.

MAYOR

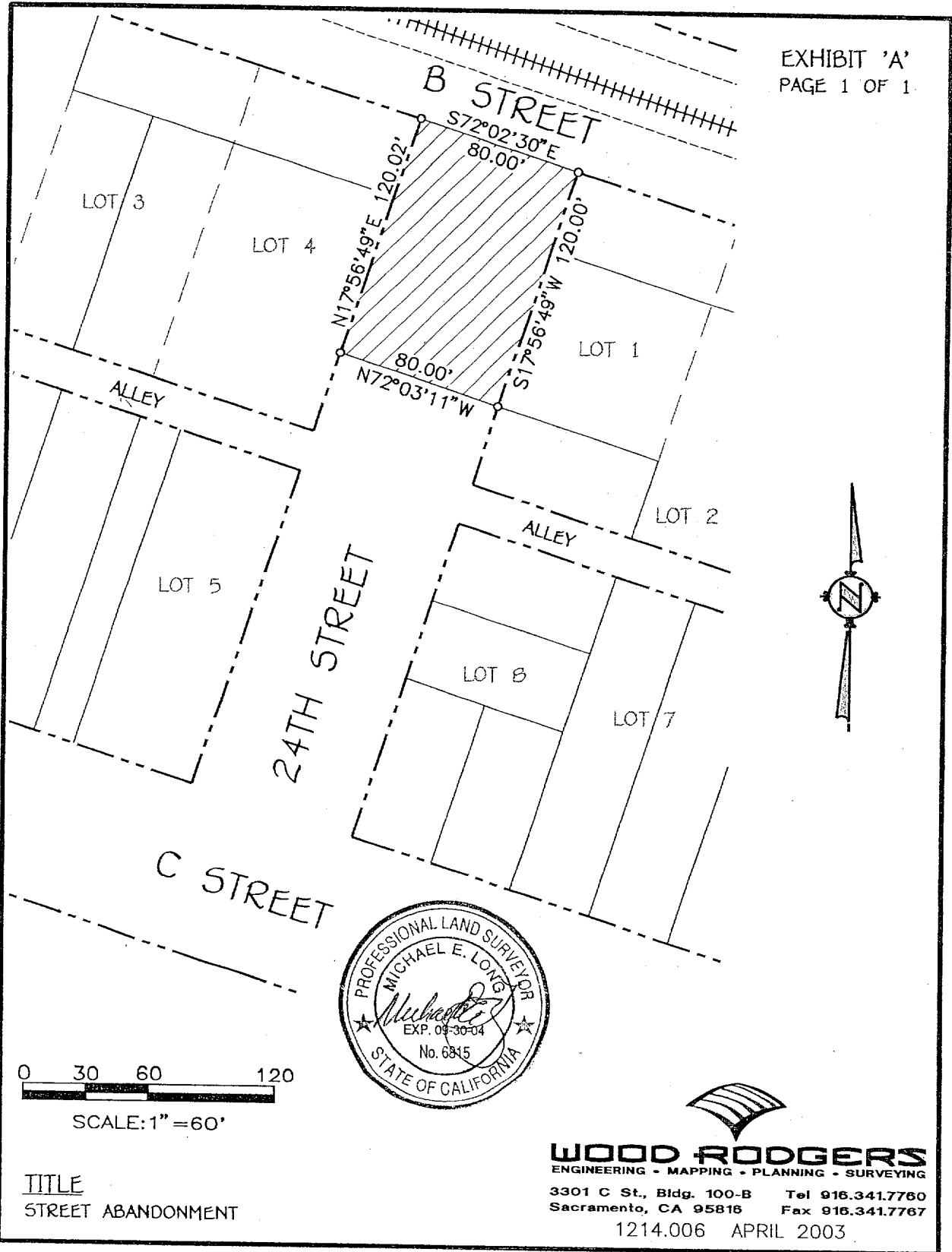
ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____



TITLE
STREET ABANDONMENT

WOOD RODGERS
 ENGINEERING - MAPPING - PLANNING - SURVEYING
 3301 C St., Bldg. 100-B Tel 916.341.7760
 Sacramento, CA 95816 Fax 916.341.7767
 1214.006 APRIL 2003

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EXHIBIT 'B'
LEGAL DESCRIPTION
FOR A
STREET ABANDONMENT

A portion of 24th Street located in the City of Sacramento, County of Sacramento, State of California, described as follows:

BEGINNING at a point which is the northeast corner of Lot 4 of the block bounded by 'B' & 'C' Street and 23rd & 24th Street; thence across 24th Street, South 72° 02' 30" East, a distance of 80.00 feet to the northwest corner of Lot 1 of the block bounded by 'B' & 'C' Street and 24th & 25th Street; thence along the northwesterly boundary line of said Lot 1, also being the southeasterly right-of-way line of 24th Street, South 17° 56' 49" West, a distance of 120.00 feet; thence across 24th Street, North 72° 03' 11" West, a distance of 80.00 feet to a point of intersection with the southeasterly boundary line of said Lot 4; thence along said southeasterly boundary line, also being the northwesterly right-of-way line of 24th Street, North 17° 56' 49" East, a distance of 120.02 feet to the POINT OF BEGINNING.

Containing 9600.63 square feet or 0.220 acres, more or less.

Basis of Bearings for this description is the centerline of 'C' Street between 25th & 26th Streets. Said line is taken to bear North 72° 03' 34" West.

April 21, 2003

END OF DESCRIPTION

PREPARED BY WOOD RODGERS, INC.
SACRAMENTO, CALIFORNIA



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RESOLUTION NO.: _____

DATE ADOPTED: _____