



DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

Vacations (Abandonments)
Public Right-of-Ways & Easements
1231 I Street, Room 200
Sacramento, CA 95814
PH 916-264-7873
FAX 916-264-5786

DEVELOPMENT SERVICES

January 20, 2003

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: THE SUMMARY VACATION (ABANDONMENT) OF THE EXCESS PUBLIC ROAD RIGHT-OF-WAY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF BELL AVENUE AND NORWOOD AVENUE WITHIN COUNCIL DISTRICT 2 (VACATION PROCEEDING NO. VP03-22)

LOCATION AND COUNCIL DISTRICT:

Located at the northeast corner of the intersection of Bell Avenue and Norwood Avenue within Council District 2 (see Attachment A for project location).

RECOMMENDATION:

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

- Approving the summary vacation of the excess public road right-of-way located at the northeast corner of the intersection of Bell Avenue and Norwood Avenue within Council District 2.

CONTACT PERSONS:

Robert T. Robinson, Supervising Surveyor, 808-8970
Cesar Narvaez, Engineering Technician, 808-7873

FOR COUNCIL MEETING OF: February 17, 2004

SUMMARY:

The "Morningside Creek LLC" has requested the City to vacate the subject excess public road right-of-way (see attachment A). The applicant intends to upgrade the existing landscaping and install a new sign to enhance the curb appeal of their apartment community.

Department of
PUBLICWORKS
CITY OF
SACRAMENTO

COMMITTEE/COMMISSION ACTION:

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

BACKGROUND INFORMATION:

- City departments and utility companies have reviewed this request for vacation. Letters regarding this vacation are on file with the Department of Public Works, Development Services Division.
- Staff has reviewed the request for vacation and finds the vacation in conformance with Streets and Highways Code, Section 8334 (a) that the subject public road is an excess right-of-way of street or highway not required for street or highway.
- Following vacation, the title to the subject property is 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 is exempt from the California Environmental Quality Act Guidelines (CEQA) under Section Number 15305. Exemption 15305 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density.

POLICY CONSIDERATIONS:

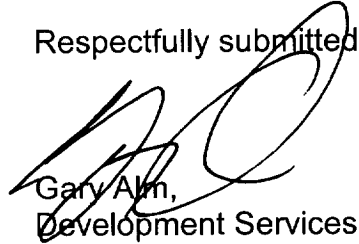
- The City Council action recommended in this report supports the City Strategic Plan goal to promote and support economic vitality.
- The State of California, Streets and Highways Code, Section 8330-8336 allows for the vacation of streets, alleys, and easements.

City Council
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ESBD CONSIDERATIONS:

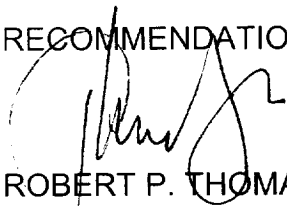
City Council adoption of the attached resolution is not affected by City policy related to the ESBD Program.

Respectfully submitted,



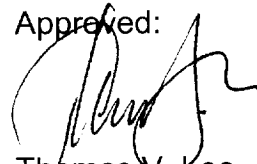
Gary Alm,
Development Services Manager

RECOMMENDATION APPROVED:



ROBERT P. THOMAS
City Manager

Approved:



Thomas V. Lee
Deputy City Manager

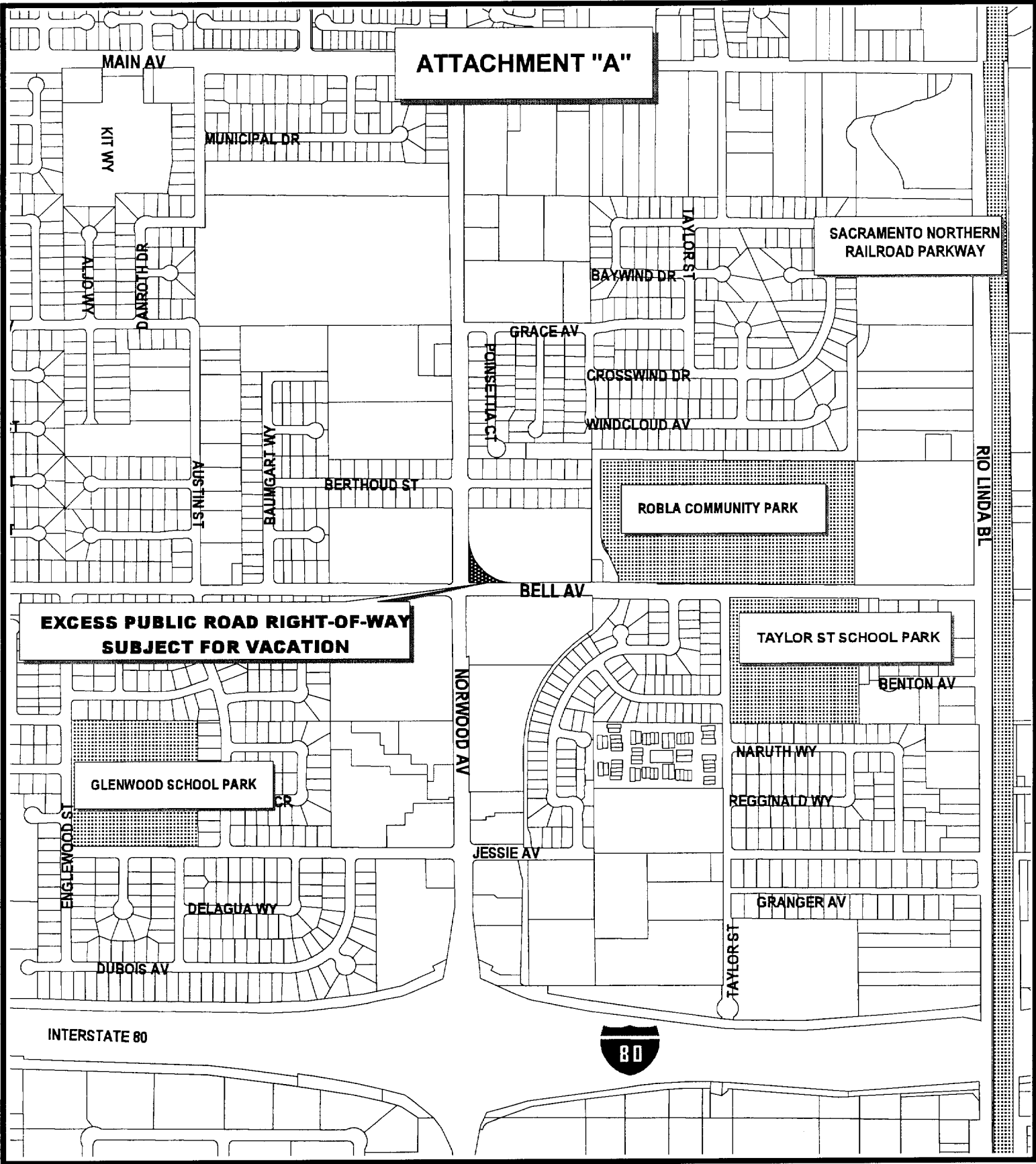
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RR/dkl

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ATTACHMENT "A"

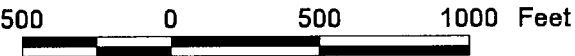


**EXCESS PUBLIC ROAD RIGHT-OF-WAY
SUBJECT FOR VACATION**

GLENWOOD SCHOOL PARK

TAYLOR ST SCHOOL PARK

ROBLA COMMUNITY PARK



Department of
PUBLICWORKS
 CITY OF SACRAMENTO
 CESAR 012004

SUMMARY VACATION, VP03-22
Excess Public Road Right-of-Way Located
at the Northeast Corner of Bell Avenue and
Norwood Avenue within Council District 2



RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING THE SUMMARY VACATION OF THE EXCESS PUBLIC ROAD RIGHT-OF-WAY LOCATED AT THE NORTHEAST CORNER OF BELL AVENUE AND NORWOOD AVENUE WITHIN COUNCIL DISTRICT 2 (VACATION PROCEEDING NO. VP03-22)

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

- A. WHEREAS, the City received a request from the "Morningside Creek LLC" to vacate the subject excess 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 8330-8336, 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 excess public road right-of-way located at the northeast corner of the intersection of Bell Avenue and Norwood Avenue, 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 subject excess public road right-of-way to be vacated, specifically described in Exhibit "A" and shown in Exhibit "B" attached hereto.

A map of the proposed vacation is attached as Exhibit "B" and is on file with the Department of Public Works, Development Services Section, located at 1231 I Street, Room 200.

- 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 8330-8336 has considered this vacation in connection with the General and Community Plans and finds the vacation is consistent.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

2. 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: _____

EXHIBIT A

LEGAL DESCRIPTION

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

All that portion of land in the northeasterly portion of the intersection of Norwood Avenue and Bell Avenue as shown on the official Plat of Glenwood Park Unit No. 2, filed in the office of the County Recorder of Sacramento County, on February 14, 1961, in Book 64 of Maps, Map No. 5, described as follows:

Beginning at a point on the north line of Bell Avenue from which the southeast corner of Lot F, as shown on said plat, bears North 89° 02' 30" East 388.01 feet, said point also being on the south line of said Lot F; thence from said point of beginning along the prolongation of said north line South 89° 02' 30" West 205.04 feet; thence along a curve concave northeasterly having a radius of 27.33 feet and an arc length of 42.54 feet, subtended by a chord bearing North 46° 22' 00" West 38.37 feet to a point parallel to and 40.00 feet distant, measured at right angles, from the center line of Norwood Avenue; thence along said parallel line North 01° 46' 30" West 205.04 feet to a point on the westerly line of said Lot F, said point also being on the easterly line of Norwood Avenue; thence coincident with the southwesterly line of Lot F along a curve concave northeasterly having a radius of 235.32 feet and an arc length of 366.28 feet, subtended by a chord bearing South 46° 22' 00" East 330.41 feet to the point of beginning containing 11,339.573 square feet, more or less.



FOR CITY CLERK USE ONLY

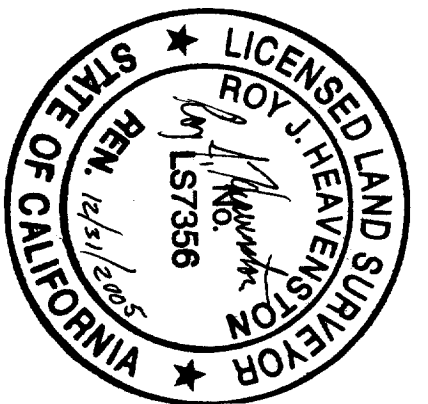
RESOLUTION NO: _____

DATE ADOPTED: _____

EXHIBIT B

64--BM-5

LOT F



SCALE:
1"=60'

R=27.33'
Δ=89°11'00"
L=42.54'
N 46°22'00"W 38.37'

NORWOOD AVENUE

40'
40'

N 01°46'30"W 205.04'

R=235.32'
Δ=89°11'00"
L=366.28'
S 46°22'00"E 330.41'

TOTAL AREA=11,339.573 SQ. FT.
= 0.2603 ACRE

S 89°02'30"W 205.04'

POINT OF BEGINNING
N 89°02'30"E
388.01'

BELL AVENUE

AUG. 2002

PLAT MAP
CITY OF SACRAMENTO

FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____