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CITY OF SACRAMENTO



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CITY MANAGER'S OFFICE
RECEIVED
JUN 22 1983

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Deputy City Attorneys

June 28, 1983

APPROVED
BY THE CITY COUNCIL

City Council
Sacramento, CA 95814

JUN 28 1983

MEMBERS IN SESSION:

OFFICE OF THE
CITY CLERK

AC 82148

Re: General Release and Easement Agreement
Relating to 1701 Thornton Avenue, Sacramento, CA

SUMMARY

A hearing relating to the abandonment of certain right-of-way in the area of North C Street and North Eighteenth Streets is scheduled for the Council agenda of June 28, 1983. If the abandonment is approved, it is recommended that you also authorize the City Manager to execute a General Release and an Easement Agreement to conclude matters related to the abandonment.

BACKGROUND

In 1980, the City constructed a portion of the American River Bicycle Trail near the intersection of North 18th Street and North C Street, on property dedicated to the City by John Sutter, Jr. for use as public streets.

At the time of construction, the City's title to the bicycle trail and other nearby right-of-way was challenged by the owners of real property located at 1701 Thornton Avenue. They are Eva B. Thornton Trust, Mary F. Lewis, Marjorie E. Trantham, Kenneth P. Thornton, Bruce L. Jacobsen and Linda J. Cortell (the "Thornton Group").

To resolve the conflicting claims to the right-of-way, and to settle challenges to bicycle trail construction, it was recommended that you approve an abandonment of certain unused portions of the dedicated right-of-way.

In return for the partial abandonment, the property owners have agreed to release any claim relating to the construction or location of the bicycle trail. They do request that they be permitted to use the bicycle trail for vehicle access to the warehouse located on their real property.

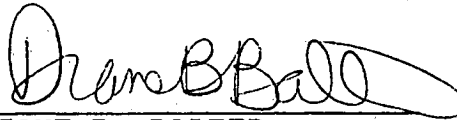
The City Attorney has prepared a General Release and an Easement Agreement to effectuate this resolution of the matter.

RECOMMENDATION


It is recommended that the City Council adopt the attached resolution authorizing the City Manager to execute an Easement Agreement and a General Release between the City and the Thornton Group.

Respectfully submitted,

JAMES P. JACKSON
City Attorney

By: 
DIANE B. BALTER
Deputy City Attorney

RECOMMENDATION APPROVED:


WALTER J. SLUPE
City Manager

District 1
June 28, 1983

16C

RESOLUTION NO. 83-~~482~~⁵⁰¹

Adopted by The Sacramento City Council on date of

JUNE 28, 1983

RESOLUTION AUTHORIZING CITY MANAGER TO EXECUTE
GENERAL RELEASE AND EASEMENT AGREEMENT RE
AMERICAN RIVER BICYCLE TRAIL

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

The City Manager is hereby authorized to execute a
General Release and Easement Agreement between the City of
Sacramento and Eva B. Thornton Trust, Mary F. Lewis, Marjorie
E. Trantham, Kenneth P. Thornton, Bruce L. Jacobsen and
Linda J. Cortell relating to certain property in the area
of the intersection of North Eighteenth Street and North C
Street, resolving certain disputes relating to the construction
thereon of a portion of the American River Bicycle Trail.

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MAYOR

ATTEST:

CITY CLERK

APPROVED
BY THE CITY COUNCIL

JUN 28 1983

OFFICE OF THE
CITY CLERK

July 8, 1983

DANIEL McVIEGH, ESQ.
DOWNEY, BRAND, SEYMOUR & ROHWER
555 Capitol Mall,
Sacramento, CA 95814

RE: CITY AGREEMENT NOS. 82148 and 82149

Dear Mr. McViegh:

On June 28, 1983, the City of Sacramento, City Council adopted a resolution authorizing the City Manager to execute General Release and Easement Agreement regarding American River Bicycle Trail.

Enclosed, for your records, is one fully certified copy of said agreement and certified resolution authorizing same.

Sincerely,

Lorraine Magana
City Clerk

LM:sml:l6C

Enclosures

cc: City Attorney
Risk Management

