



3.8

DEPARTMENT OF
PUBLIC WORKS

ENGINEERING DIVISION

CITY OF SACRAMENTO
CALIFORNIA

927 TENTH STREET
ROOM 200
SACRAMENTO, CA
95814-2705

APPROVED
BY THE CITY COUNCIL

916-449-8220
FAX 916-449-8678

JAN 15 1991

CONSTRUCTION SECTION
640 BERKUT DRIVE
SUITE B
SACRAMENTO, CA
95814-0131

OFFICE OF THE
CITY CLERK

916-449-5282

January 15, 1991

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Resolution Authorizing City Manager and City Clerk to execute
Both an AGREEMENT FOR SALE OF CITY-OWNED REAL PROPERTY and a
CORPORATION GRANT DEED

SUMMARY

It is requested that the City Council adopt a resolution authorizing the execution of both an AGREEMENT FOR SALE OF CITY-OWNED REAL PROPERTY AND a CORPORATION GRANT DEED to sell, without calling for bids, a City-owned remnant parcel to Riverfront Estates Associates, a California limited partnership.

BACKGROUND

Riverfront Estates Associates are developers of the parcel adjacent to the southeast (APN: 030-0041-007, 13.40± acres) of the subject 0.02± acre (865 sf) City-owned remnant parcel.

Resolution No. 90-679, adopted August 21, 1990 (attached for reference purposes), approved the tentative subdivision map for the proposed subdivision of the 13.40± acres owned by Riverfront Estates Associates. Along with other conditions for approval of the final map, were the following two conditions:

- 1) Section 7, Item K. States that a portion of APN: 030-0041-006 (the subject remnant parcel) needs to be acquired by the

City Council
Resolution to execute Both an Agreement for Sale of
City Property and a Corporation Grant Deed
January 15, 1991

developers to be incorporated with Lot 1 (Riverfront Estates' property).

- 2) Section 7, Item R., Sub Item No. 1 States that applicant, together with other conditions, must enter into an agreement with the City of Sacramento to purchase the subject 0.02± acre remnant parcel.

This entire City-owned parcel was acquired for Sacramento River Parkway purposes, adjacent to the levee in the Pocket Area, and the portion being sold is a remnant resulting from the alignment of a new street (as specified in the resolution (90-679) approving the tentative subdivision map), which severs the parcel, making this remnant surplus City property.

FINANCIAL DATA

The purchase price of \$4,500 was established as fair compensation based on market comparisons of similar property.

The proceeds from the purposed sale of this remnant parcel will be deposited into the General Fund (101-310-3135-3701, Sale of City Property).

POLICY CONSIDERATIONS

The City Attorney's Office has determined that, since this 0.02 acre parcel is in effect a remnant necessitated due to the alignment of the roadway passing through the larger City-owned parcel, it is exempt from a City Planning Commission review under Government Code Section 65402.

The sale of this remnant parcel is considered to be in the best interest of the City because it relieves the City of maintenance and potential liability problems and will place the property back on the tax roll. Due to its small size and location, the subject remnant parcel can only be utilized in conjunction with the adjacent parcel. Pursuant to Sacramento City Code Section 12.109, the City Council may, by resolution, provide for the sale of real property without first calling for bids when it finds that such action will be in the best interest of the City.

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Resolution to execute Both an Agreement for Sale of
City Property and a Corporation Grant Deed
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MBE/WBE EFFORTS

There are no MBE/WBE efforts associated with this item.


RECOMMENDATION

It is recommended that the attached resolution authorizing the City Manager and City Clerk to execute a both an AGREEMENT FOR SALE OF A CITY-OWNED REAL PROPERTY and a CORPORATION GRANT DEED to sell, without calling for bids, the subject remnant City property, and finding that this sale is exempt from Government Code Section 65402 be adopted.


Respectfully submitted,


THOMAS M. FINLEY
Engineering Division Manager

Recommendation Approved:


For WALTER J. SLIPE
City Manager

Approved:


MELVIN H. JOHNSON
Director of Public Works

CONTACT PERSON

Craig Thurston, Supervising Real Property Agent
449-5629, or
Ed Flowers, Real Property Agent
449-5627

January 15, 1991
District No. 8

EF:BA:mb
RE2-04SP.C
01.0491.2

Attachment

AMENDED

CERTIFIED AS TRUE COPY
of Resolution No. 90-679

RESOLUTION NO. 90-679

ADOPTED BY THE SACRAMENTO CITY COUNCIL

AUG 6 1990
DATE CERTIFIED
Theresa G. Burrows
CITY CLERK CITY OF SACRAMENTO

ON DATE OF AUG 21 1990

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A SUBDIVISION MODIFICATION AND TENTATIVE MAP FOR PROPERTY LOCATED AT 6446 RIVERSIDE BOULEVARD

(P90-158) (APN:030-0041-006, 007, 046)

WHEREAS, the City Council on AUG 21 1990, held a public hearing on the request for approval of a tentative map for property located at the above described location;

WHEREAS, all governmental and utility agencies affected by the development of the proposed subdivision have been notified and given the opportunity to respond;

WHEREAS, the City Environmental Coordinator has determined that the proposed project will not have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration;

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations on the proposed subdivision;

WHEREAS, the City Council has considered the design of the proposed subdivision in relation to feasible future passive or natural heating and cooling opportunities; and

WHEREAS, the City Council has considered the effects that approval of the proposed subdivision would have on the housing needs of the Sacramento Metropolitan area and balances these needs against the public service needs of City residents and available fiscal and environmental resources.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 90-679

DATE ADOPTED: AUG 21 1990

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

1. The Negative Declaration has been prepared in compliance with CEQA, State and City Guidelines, and the Council has reviewed and considered the information contained herein.
2. None of the conditions described in Government Code Section 66474, subsections (a) through (g) inclusive, exist with respect to the proposed subdivision.
3. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, and Chapter 40 of the City Code, which is a Specific Plan of the City. Both the City General Plan and the 1988 Pocket Community Plan designate the subject site for Low Density Residential use(s).
4. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Quality Control Board, Central Valley Region in that existing treatment plants have a design capacity adequate to service the proposed subdivision.
5. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
6. In the matter of the hereby approved requested subdivision modification to establish a cul-de-sac in excess of 500 feet:
 - a. The City Council determines that it is impossible, impracticable and undesirable in this particular case to conform to the strict application of the subdivision ordinance in that the subject property has limited access because of surrounding development.
 - b. The cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification in that a irrevocable offer of dedication (I.O.D.) is required for future street extension.
 - c. The modification will not be detrimental to the public health, safety, or welfare, or be injurious to other properties in the vicinity in that the proposed lot configuration provides for logical development of the property.

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: 90-679
DATE ADOPTED: AUG 21 1990

- d. That granting the modification is in accord with the intent and purpose of these regulations and is consistent with the General Plan and with all other applicable Specific Plans of the City in that the property is designated for residential use.
7. The tentative map for the proposed subdivision is hereby approved, subject to the following conditions which must be satisfied prior to the filing of the final map unless a different time for compliance is specifically noted:
- A. To provide standard subdivision improvements pursuant to Section 40.811 of the City Code; Improvements adjacent to Lot B shall consist of vertical curb, gutter and no sidewalks.
 - B. Prepare a sewer and drainage study for the review and approval of the City Engineer.
 - C. Pursuant to City Code Section 40.1302 (parkland dedication) the applicant shall submit to the City an appraisal of the property to be subdivided and pay the required parkland dedication in-lieu fees. The appraisal shall be dated not more than 90 days prior to the filing of the final map.
 - D. Pursuant to City Code Section 40.319-1, the applicant shall indicate easements on the final map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the City Engineer after consultation with the U.S. Postal Service.
 - E. The applicant/developer shall designate and place on the final map those structures and/or lots which will meet the required 80% south orientation (including solar access) to the satisfaction of the Planning Director, or comply with Title 24 requirements of the Uniform Building Code.
 - F. If unusual amounts of bone, stone or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition.
 - G. Submit a soils test prepared by a registered engineer to be used in street design.

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: 90-879

DATE ADOPTED: AUG 21 1998

- H. A seepage study will be required and shall be prepared by a registered engineer. The study shall identify and recommend solutions on ground-water related problems which may occur within both the subdivision lots and public right-of-way. Appropriate facilities shall be constructed to alleviate those problems.
- I. Pay Pocket Bridge fees.
- J. Dedicate a standard 12.5-foot public utility easement for underground and public utility facilities and appurtenances adjacent to all public ways.
- K. A portion of APN 030-0041-006 needs to be acquired by the developers to be incorporated with Lot 1.
- L. Water system shall provide a tie between Riverlake Way and North Point Way extension.
- M. Note: Property to be subdivided in accordance with this map may be subject to flooding. Interested parties should ascertain whether and to what extent flooding may occur. The applicable base flood elevations for the property should be reviewed. Base flood elevations are contained in the U.S. Army Corps of Engineers Flood Insurance Study Working Map for the Sacramento Community, dated January 1989, available for review at the City of Sacramento's Public Works Department, Development Services Division, Room 100, 927 10th Street.
- N. Emergency access through Lot C to Riverside Boulevard shall be provided to the satisfaction of the City Fire Department.
- O. North/South street adjacent to Lot A shall be constructed to a City Standard 50-foot right-of-way street.
- P. North/South street adjacent to Lot A shall be extended to the north property line of Lot C for future extension of a 54-foot City standard right-of-way street to the intersection of Florin Road/Riverside Boulevard intersection.

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FOR CITY CLERK USE ONLY

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DATE ADOPTED: AUG 21 1990

- * Q. Applicant shall deposit with the City the cost for construction of three sets of undulations on Grangers Dairy Drive. After houses are constructed on the new subdivision, and the area neighbors and the City Transportation Division determines that the three sets of undulations are not necessary on Grangers Dairy Drive, then the money for these undulations shall go towards additional landscaping along the levee on North Point Way.
- R. Applicant to enter into an agreement for the use or conveyance of City property to the satisfaction of the City Parks and Community Services Department prior to the final map and shall include the following:
- 1) Applicant shall enter into an agreement with the City of Sacramento Parks and Community Services Department to convert the proposed street right-of-way into a dedicated street and purchase the remnant .02± acre parcel prior to approval of the final map.
 - 2) Applicant shall improve the remaining portion of the City property (Lot B) to the satisfaction of the Parks and Community Services Department. Improvements shall include landscaping the levee with a groundcover acceptable to the Corps of Engineers, landscaping the flat areas with lawn and native trees, automatic irrigation, and post and cable fencing along the new street alignment.
 - 3) Applicant shall provide a bond or cash payment equal to the cost of constructing the bicycle trail on top of the levee from one end of the park property (Lot B) to the other. The applicant shall apply for all permits that may be required for the development of the bikeway.
 - 4) Applicant shall contribute a cash payment of \$4,000 to provide for off-site improvements along North Point Way, from Parcel B to Grangers Dairy Drive, which shall include post and cable fencing, automatic irrigation and groundcover planting of the slope areas.
- S. Parking facility shall meet the provisions of the City tree shading requirements prior to recordation of the final map.
- T. A six foot masonry wall shall be provided along the west and north property lines adjacent to the parking lot.

* Revised by City Council 8/21/90

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: 90-679
DATE ADOPTED: AUG 21 1990

- * U. All heavy construction equipment and construction traffic shall go through Elk's Lodge parking lot during construction unless it is too heavy for the parking lot, or if the maneuvering area does not permit it.
- V. A note shall be placed on the map that the Applicant shall make an Irrevocable Offer of Dedication (I.O.D.) of the real property necessary for the continuation of North Point Drive from the proposed single-family subdivision to the intersection of Florin Road and Riverside Boulevard. The location and curvilinear design of the I.O.D. shall be as specified on the approved Tentative Map.

The I.O.D. shall be effective, and will be required by the City, when the property on which the Elks Lodge building is located is proposed and approved for a use substantially different from the currently approved use, including but not limited to a subdivision of the property for residential or commercial use. Nothing in this condition is intended to prevent the City from imposing new, different or additional conditions if new entitlements, or amendments to the current special permit or other entitlements, for the property on which the Elks Lodge is located are sought.

- * W. The City Council instructed staff to do the following:

A study shall be initiated by the Public Works Department to consider resolving the traffic problems in the immediate area (including Bunkhouse Way, Grangers Dairy Drive, Park Riviera Drive and Riverside Boulevard) as related to the proposed subdivision.

ANNE RUDIN
MAYOR

ATTEST:

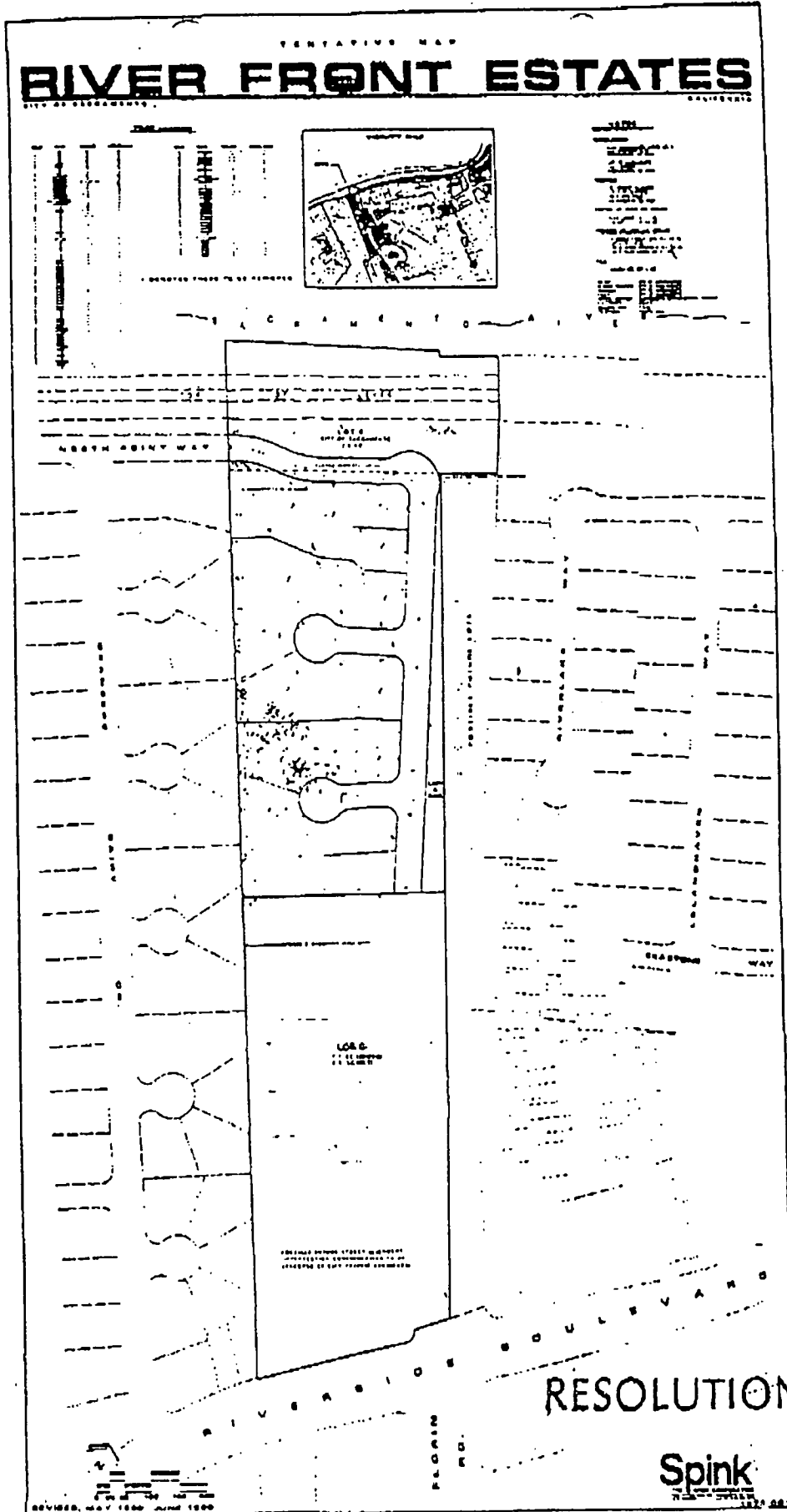
VALERIE BURROWES
CITY CLERK

P90-158.CC.rev

* Revised by City Council 8/21/90

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 90-679
DATE ADOPTED: AUG 21 1990



P90-158

7-12-90

1.1

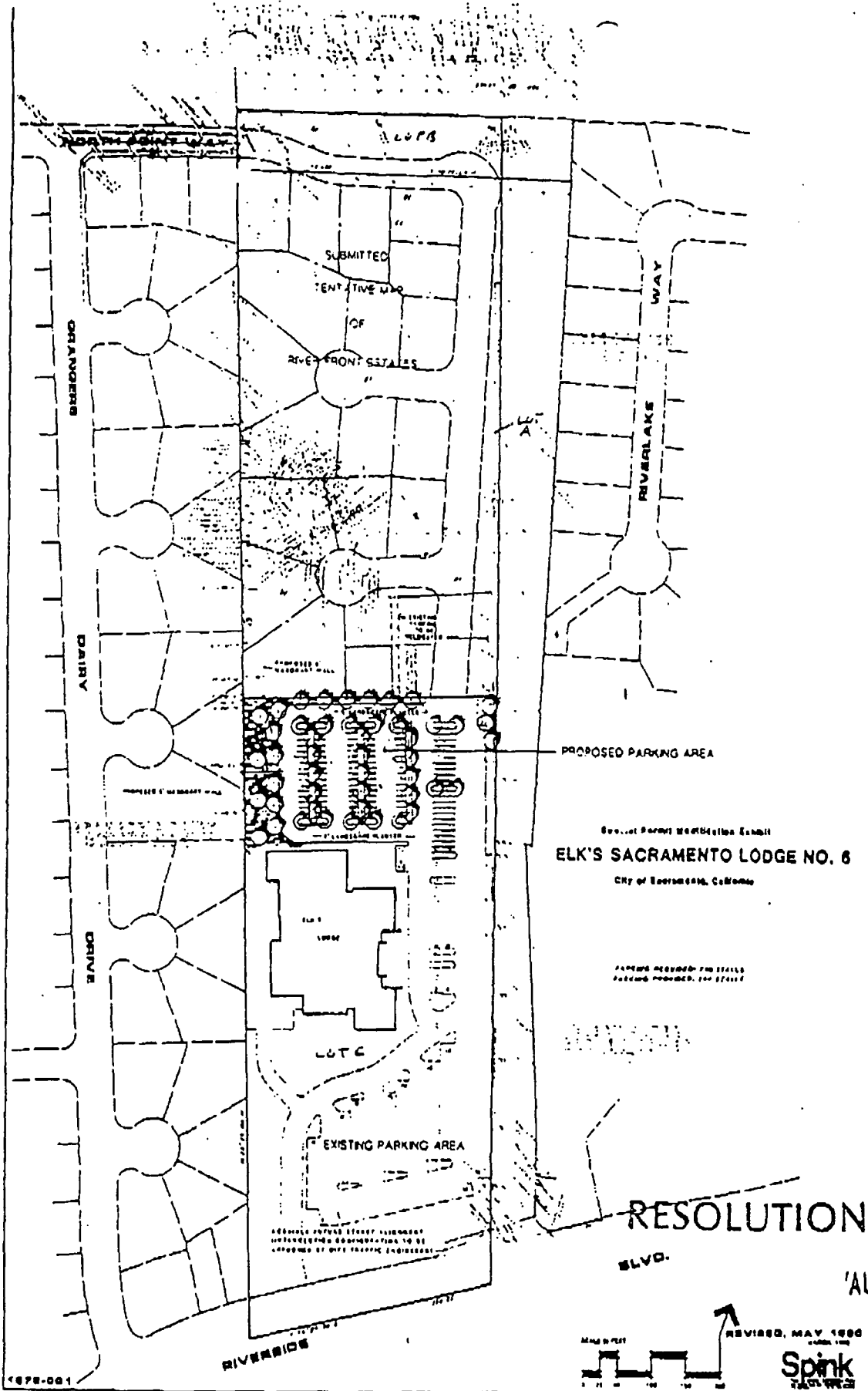


Exhibit Permit Modification Exhibit
ELK'S SACRAMENTO LODGE NO. 6
 City of Sacramento, California

PAPERS REQUIRED FOR STALLS
 PAPERS PROVIDED FOR STALLS

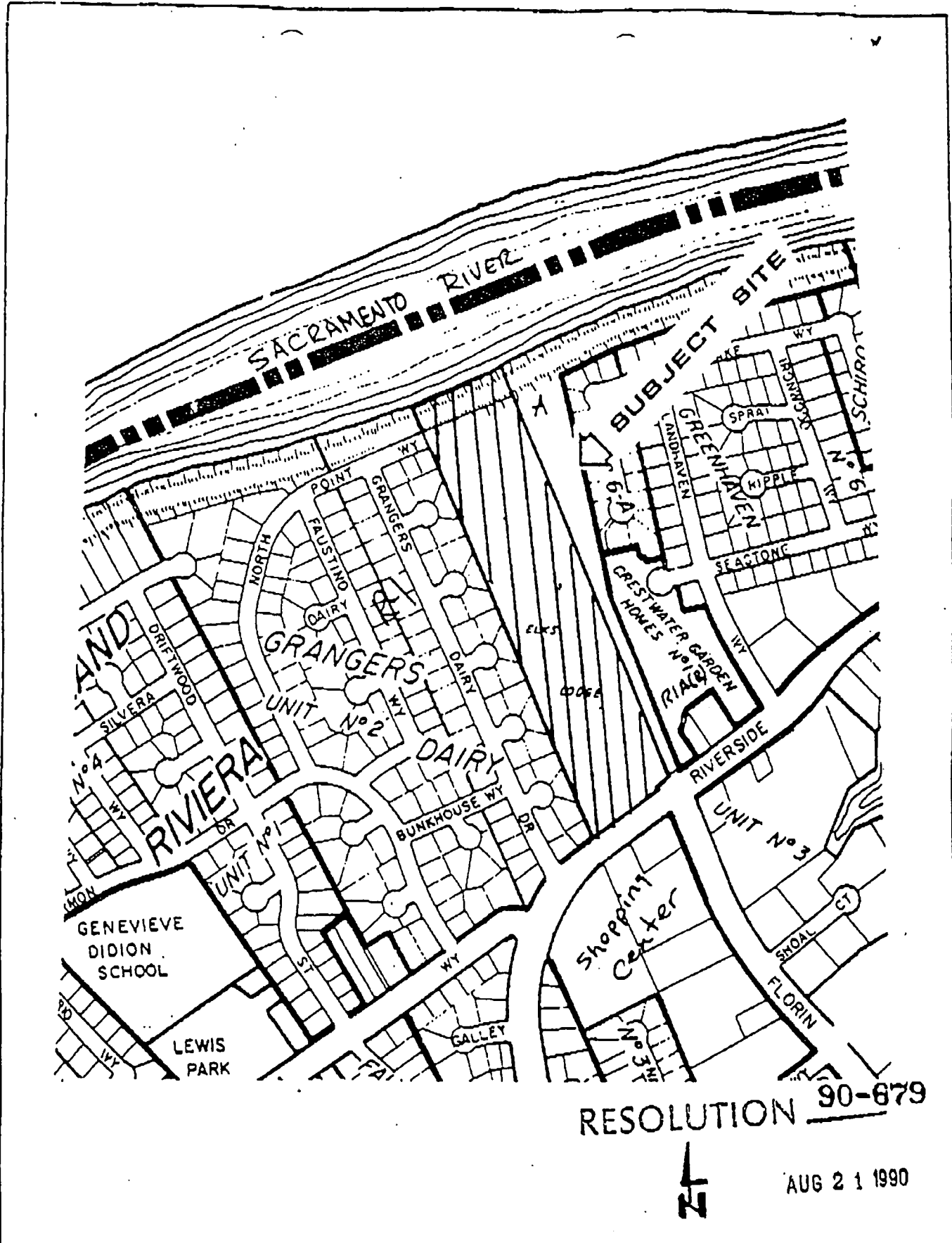
RESOLUTION 90-679

AUG 21 1990

P90-158

JUL 12, 1990

#14



VICINITY - LAND USE - ZONING

P90-158

1 1 1990

1 1 1990

RESOLUTION NO. 91-036

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

APPROVED
BY THE CITY COUNCIL
JAN 15 1991
OFFICE OF THE
CITY CLERK

RESOLUTION AUTHORIZING EXECUTION OF AN
AGREEMENT FOR SALE OF CITY-OWNED REAL PROPERTY
AND
CORPORATION GRANT DEED
TO SELL, WITHOUT CALLING FOR BIDS,
ONE CITY-OWNED REMNANT PARCEL
(A PORTION OF APN: 030-0041-006)
TO RIVERFRONT ESTATES ASSOCIATES,
A CALIFORNIA LIMITED PARTNERSHIP

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

1. That the City Manager and City Clerk are hereby authorized and directed to execute an AGREEMENT FOR SALE OF CITY-OWNED REAL PROPERTY with Riverfront Estates Associates, a California limited partnership, for the property described in the attached Exhibit A.
2. That the City Manager and City Clerk are hereby authorized and directed to execute a CORPORATION GRANT DEED to Riverfront Estates Associates, a California limited partnership, for the property described in the attached Exhibit A.
3. That, pursuant to advice by City Attorney, the City Council hereby finds that Government Code Section 65402 does not apply to this transaction.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

4. That pursuant to Sacramento City Code Section 12.109, the City Council hereby finds and determines that this action will be in the best interest of the City of Sacramento, and that it is not a requirement that this property be sold by first calling for bids.
5. Proceeds from the sale in the amount of \$4,500 shall be deposited into Account Number 101-310-3135-3701, Sale of City Property.

MAYOR

ATTEST:

CITY CLERK

EF:BA:mb
RE2-04SP.C
01.0491.2

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

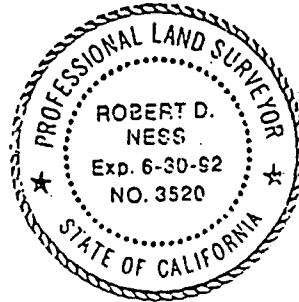
DATE ADOPTED: _____

EXHIBIT A .
DESCRIPTION OF PROPERTY TO BE
ACQUIRED FROM THE CITY OF SACRAMENTO

All that portion of Swamp Land Survey No. 160, Sacramento County Surveys, being a portion of Section 28, T.8N., R.4E., M.D.M., described as follows:

Beginning at the most Northerly corner of Lot 1, as said lot is shown on the official plat of Grangers Dairy Subdivision, filed in the office of the Recorder of Sacramento County, in Book 114 of Maps, Map No. 2; thence from said point of beginning, Northeasterly, curving to the right on an arc of 184.00 feet radius, said arc being subtended by a chord bearing North 77° 58' 03" East 59.41 feet; thence North 87° 15' 29" East 24.40 feet to a point located on the Southerly boundary of that certain tract of land described in the Grant Deed executed by Sacramento Lodge No. 6 Benevolent and Protective Order of Elks to the City of Sacramento recorded in Book 77-06-21 at Page 635, Sacramento County Official Records; thence along said boundary, South 69° 37' 31" West 81.45 feet to the most Southerly corner of said tract of land ; thence along the Westerly boundary of said tract of land and the Easterly boundary of said Lot 1, North 22° 29' 08" West 16.02 feet to the point of beginning; containing 865 square feet, more or less

1000/rn.3



NORTHERLY
CORNER LOT 1
114 B.M. 2

NORTH
POINT
WAY

N.22°29'08"W.
16.02'

N.77°58'03"E. 59.41' R:184'
865 SQ. FT.
N.07°15'29"E. 24.40'

CITY OF SACRAMENTO

S.69°37'31"W. 81.45'

CHANGERS

114 B.M. 2

DRIVE

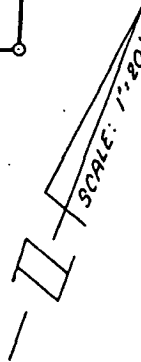
SUBDIVISION

LOT 1
(13.40± Acres)

RIVERFRONT ESTATES ASSOCIATES

LOT 2

LOT 3



REVISION

JOB NO. 1578-001
DATE: DEC '90
F.B. PAGE:
SCALE: 1"=80'
DRAWN BY: KB
CHECKED BY: RN

TITLE: PORTION OF THE CITY OF
SACRAMENTO TO BE DEEDED TO
RIVER FRONT ESTATES
CLIENT: CLIFF CLIFFORD



THE
SPINK
CORPORATION

ENGINEERS • PLANNERS • SURVEYORS

SCALE IN INCHES

CODE: PAT-13 OR. NO. H-6959

RECORDING REQUESTED BY

3.8

AND WHEN RECORDED MAIL TO

NAME Riverfront Estates
 ADDRESS a California limited partnership
 396 Florin Road
 CITY & STATE Sacramento, CA 95831
 Attn: Robert Davidson

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO
 NAME Riverfront Estates
 ADDRESS a California limited partnership
 396 Florin Road
 CITY & STATE Sacramento, CA 95831
 Attn: Robert Davidson

Documentary transfer tax \$.....
 Computed on full value of property conveyed, or
 Computed on full value less liens and encumbrances
 remaining thereon at time of sale.

Signature of declarant or agent determining tax — firm name

Corporation Grant Deed

FOR VALUE RECEIVED, CITY OF SACRAMENTO, a Municipal Corporation

GRANTS to RIVERFRONT ESTATES, a California limited partnership

all that real property situate in the City of Sacramento

County of Sacramento

, State of California, described as follows:

See Attached Legal Description

A Portion of APN: 030-0041-006

IN WITNESS WHEREOF, said corporation has executed these presents by its officers thereunto duly authorized, this
 day of , 19

CITY OF SACRAMENTO, a municipal Corporation

By Jack Crist Deputy CITY MANAGER
 By Valerie A. Burrowes CITY CLERK

STATE OF CALIFORNIA)
) SS.
 COUNTY OF SACRAMENTO)

On this 17th day of January, 1991, before me, _____, a Notary Public in
 and for the County and State, residing therein, duly commissioned and sworn, personally appeared Jack Crist & Valerie A. Burrowes
 known to me to be the _____ City Manager, and _____ known to me to be
 the _____ City Clerk of the CITY OF SACRAMENTO, a municipal corporation, the municipal corporation
 that executed the within and foregoing instrument, and to be the officers who executed the said instrument on behalf of said
 municipal corporation therein named, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, at my office in the said County and State
 aforesaid, the day and year in this certificate first above written.

 Notary Public in and for the County
 of Sacramento, State of California

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