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**DEPARTMENT OF  
PUBLIC WORKS**

DEVELOPMENT SERVICES  
DIVISION

TERENCE W. MOORE  
DIVISION MANAGER

**CITY OF SACRAMENTO**  
CALIFORNIA

927 TENTH STREET  
ROOM 100  
SACRAMENTO, CA  
95814-2795

916-449-8210

June 12, 1990

**APPROVED**  
BY THE CITY COUNCIL

JUN 12 1990

OFFICE OF THE  
CITY CLERK

City Council  
Sacramento, California

Honorable Members In Session:

**SUBJECT:** Abandonment of the East/West Alley Bounded by I and J Streets, 8th and 9th Streets (AP90-12) -  
Hearing on Abandonment

**SUMMARY**

Adoption of the attached resolution to abandon the east/west alley in the block bounded by I and J Streets, 8th and 9th Streets is recommended.

**BACKGROUND**

The Sacramento Housing and Redevelopment Agency has requested the abandonment of the alley within the subject block which is being developed into a new Center City-County Library, a parking structure and office building. The agency has applied for the abandonment and have relocated the necessary underground utility lines allowing the abandonment request to be processed.

A Notice of Exemption was filed with the County Clerk's office. The City and utility companies have reviewed the abandonment and have no objections. Letters from the utility companies are on file with the Department of Public Works, Development Services Division, located at 927-10th Street, Room 100.

Staff has reviewed the request and finds it is in conformance with City Guidelines for Street Closures adopted July 20, 1982. The request is in conformance with State law. Approval of the request is recommended.

On May 22, 1990, the City Council adopted the Resolution of Intention setting a hearing for this date for 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 the abandonment.

**FINANCIAL DATA**

No fees were charged to the applicant. There is no expense to the City.

**POLICY CONSIDERATIONS**

Section 8300 et seq. of the State of California and Highways Code allows for abandonment of streets, alleys, and easements that are no longer needed for public use. The local governing body is the approving authority and may reserve such rights as may be needed (e.g., retaining the utility easement when approving a street abandonment). City policy, as stated in Resolution No. 82-509 which was approved by the City Council on July 20, 1982, provides for abandonment of local streets so long as there is a benefit to the community, it does not inhibit access to other properties and would be supported by the majority of property owners. This abandonment is consistent with these policies.

**MBE/WBE EFFORTS**

None.

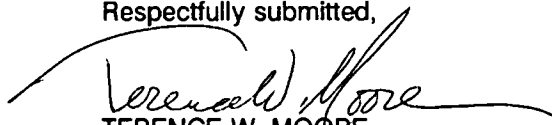
**VOTE OF COMMISSION**

The Planning Commission, on June 9, 1988, voted to approve the proposed abandonment.

**RECOMMENDATION**

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,



TERENCE W. MOORE  
Supervising Engineer

Recommendation Approved:



WALTER J. SLIPE  
City Manager

Approved:



MELVIN H. JOHNSON  
Director of Public Works

LR:dc  
DS1-02AB.B  
05.3190.2

June 12, 1990  
District No. 1

Attachments

**CONTACT PERSON**

Glenn Marshall, Associate Civil Engineer  
449-5517

# RESOLUTION NO. 90-457

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

APPROVED  
BY THE CITY COUNCIL

JUN 12 1990

CITY OF SACRAMENTO

RESOLUTION TO VACATE THE EAST/WEST ALLEY  
BOUNDED BY I AND J STREETS, 8TH AND 9TH  
STREETS ABANDONMENT PROCEEDING NO. 90-  
12

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, a notice that the City Council would consider the proposed vacation at a public hearing was given in compliance with California Streets and Highways Code Section 8300 et seq.;

WHEREAS, a public hearing to consider the proposed vacation was held before the City Council at 7:30 P.M. on May 22, 1990, in the Council Chamber, 915 I Street, Sacramento, California and all evidence was heard 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 alley located in the City of Sacramento, County of Sacramento, State of California and specifically described below is hereby ordered vacated:

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

The east/west alley in the block bounded by I and J Streets, 8th and 9th Streets, as shown on the plat of "The City of Sacramento", as filed with the County in the office of the Recorder of Sacramento on October 9, 1896 in Book 2 of Maps, Map No. 27.

That, after the adoption of said Resolution of Intention, affiant caused to be conspicuously posted along the line of the abandonment described in said Resolution of Intention, at not more than three hundred (300) feet in distance apart, and not less than three on each alley so to be abandoned, notices of the passage of said Resolution;

A map or plan of the proposed abandonment is on file with the Department of Public Works, Development Services Division, located at 927-10th Street, Room 100.

2. The above-described public street is unnecessary for present or prospective public street use in that:
  - a. It is not necessary for through traffic circulation; and
  - b. The 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; and
  - c. The parcels adjacent to the abandoned street described above have other access and said abandonment will not create any land-locked parcels; and

FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

- d. The street to be vacated is not necessary or useful as a non-motorized transportation facility as defined in Section 156 of the Streets and Highways Code.
- 3. The City Council hereby finds that the said vacation has been submitted to and reported on by the City Planning Commission as to conformity with the City General Plan. The Commission recommended that the vacation be approved. The Council, pursuant to Street and Highways Code Section 8300 et seq., has considered this street vacation in connection with the above General and Community Plans and finds the vacation consistent with them, in that:
  - a. The closure of the street identified in paragraph 1 above, does satisfy the City Council's "Review Guideline For Street Closures", adopted July 20, 1982, by Resolution No. 82-509.
- 4. The vacation is subject to the condition that:
  - a. The intersection must be removed and standard curb, gutter and sidewalk constructed in its place.
- 5. The City Clerk shall cause a certified copy of this resolution, attested by the City Clerk under seal, to be recorded.

After all the conditions specified in paragraph 4 of this resolution have been completed, 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.

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

DS1-02AB.B  
05.3090.1

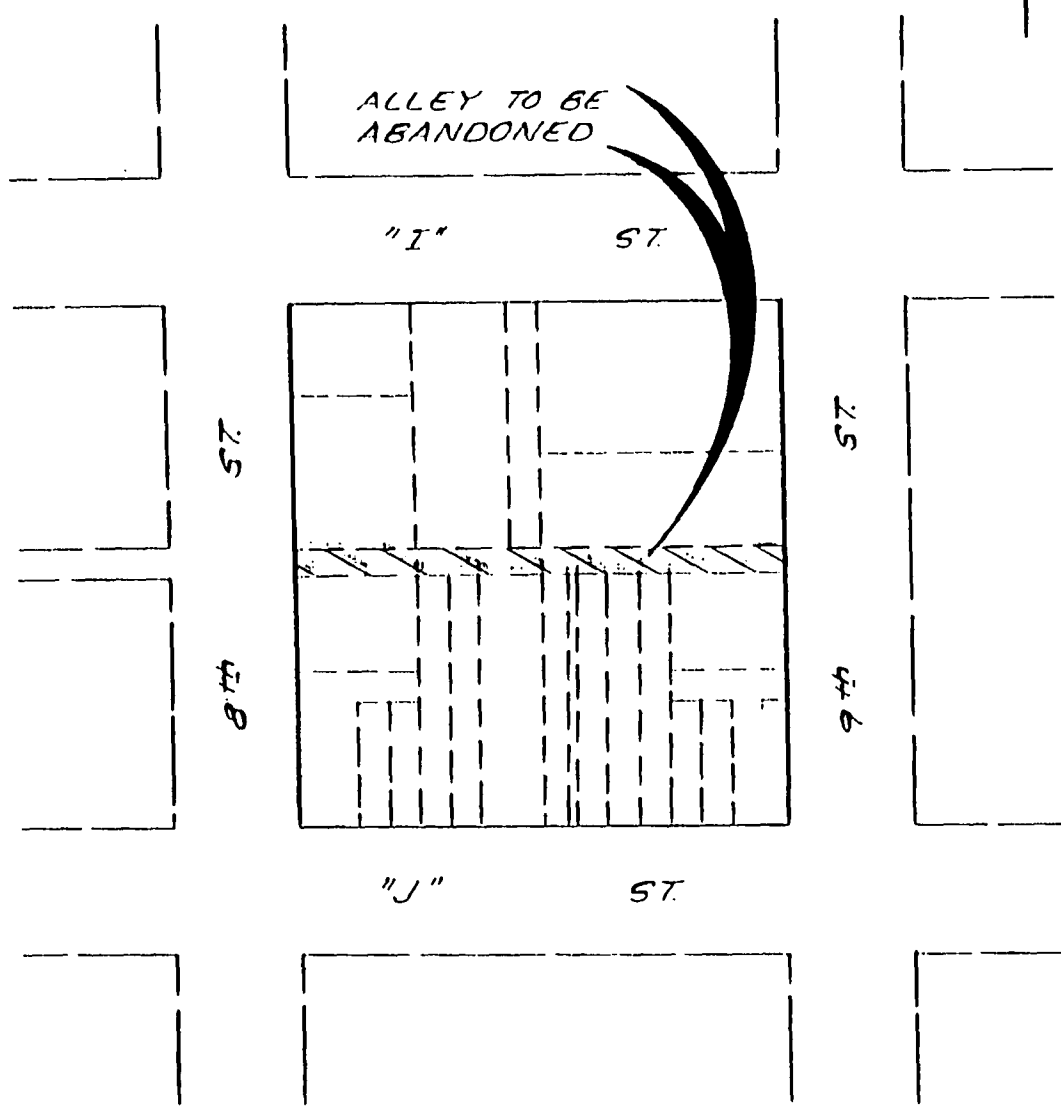
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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

10103



CALC.	<p align="center"><b>EXHIBIT MAP</b>          for PROPOSED ABANDONMENT OF ALLEY BOUNDED          BY "I", "J", 8<sup>th</sup> &amp; 9<sup>th</sup> STREETS, CITY OF SACRAMENTO, CA.</p>	DATE JAN, 1988
DRN. L.H.		SCALE 1" = 100'

EXHIBIT "A"  
CITY COUNCIL OF THE CITY OF SACRAMENTO  
June 12, 1990

In the Matter of Abandonment )  
Proceeding No. 90-12 Abandonment ) ENGINEER'S REPORT  
of the East/West Alley Bounded by I and J Streets, )  
8th and 9th Streets )

A Public Hearing is scheduled for this date pertaining to the proposed abandonment of the East/West Alley bounded by I and J Streets, 8th and 9th Streets. The proposed abandonment has been undertaken due to the following facts:

1. June 9, 1988, the Planning Commission voted to approve the abandonment.
2. A request from the Sacramento Housing and Redevelopment Agency was presented to the City Council on May 22, 1990.
3. That on May 22, 1990, 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 for this date.
4. That on May 23, 1990, 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.
5. That on May 25th and June 1st, 1990, the Resolution of Intention was published in the Daily Recorder.
6. That on May 29, 1990, Notices were posted along the proposed abandonments.
7. The abandonment would consist of abandoning the East/West alley bounded by I and J Streets, 8th and 9th Streets.
8. That the various utility companies (Pacific Bell, PG&E, Sacramento Cable TV and SMUD), and City Water and Sewer Division, City Electrical and City Traffic Engineering submitted letters stating they have no objection to the abandonment.
9. That as of June 7, 1990, no protests have been received.
10. It is my opinion that said abandonment will not affect the aesthetics of the neighborhood or cause any undue hardship on the City.

Executed this 12th day of June, 1990.

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MELVIN H. JOHNSON  
DIRECTOR OF PUBLIC WORKS

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05.3190.2