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CITY OF SACRAMENTO

CITY MANAGER'S OFFICE
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DEPARTMENT OF ENGINEERING

915 I STREET SACRAMENTO, CALIFORNIA 95814
CITY HALL ROOM 207 TELEPHONE (916) 449-5281

J. F. VAROZZA
CITY ENGINEER

M. H. JOHNSON
ASSISTANT CITY ENGINEER

October 25, 1983

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Hearing on the Resolution to Abandon Set Back Easements on South Side of Calvine Road at Songbird Court, Abandonment Proceeding No. 5346

SUMMARY:

A hearing has been set for this date on the proposed abandonment of set back easements on the south side of Calvine Road at Songbird Court. Approval of the abandonment is recommended.

BACKGROUND:

Raymond Vail and Associates, representing the owners of the abutting property, have requested the abandonment of the south 12.5 feet of the set back easements along the south side of Calvine Road at Songbird Court for the two corner lots at the T intersection. The various utility companies have each filed a letter with the City stating that they have no objection to the abandonment as proposed.

On October 4, 1983, the City Council adopted the Resolution of Intention setting a hearing for this date on 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 said abandonment.

We have been advised by the City Clerk that no protests have been received.

FINANCIAL:

No City funds are to be expended for this abandonment.

RECOMMENDATION:

As no protests have been received and if none are presented at the hearing, it is

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BY THE CITY COUNCIL

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recommended that the hearing be closed and the Council approve the Engineer's Report and adopt the attached Resolution which is the final order in the proceedings.

Respectfully submitted,

M. Johnson
for J. F. VAIOZZA
Director of Public Works

Recommendation Approved:

Walter J. Slipe
Walter J. Slipe, City Manager

October 25, 1983
District No. 7

RESOLUTION NO. 83-821

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING THE VACATION AND ABANDONMENT OF SET BACK EASEMENTS ON SOUTH SIDE OF CALVINE ROAD AT SONGBIRD COURT FOR ABANDONMENT PROCEEDING NO. 5346

WHEREAS, the City Council on October 4, 1983 adopted a Resolution of Intention to abandon and vacate set back easements on the south side of Calvine Road at Songbird Court pursuant to the standards and procedures provided in the Public Streets, Highways, Service Easements Vacation Law, California Streets and Highways Code § 8300 et. seq.

WHEREAS, notice that the City Council would consider the proposed vacation at a public hearing was given in compliance with California Streets and Highways Code § 8322 and 8323.

WHEREAS, a public hearing to consider the proposed vacation was held before the City Council at 7:30 o'clock p.m. on October 25, 1983 in the Council Chambers of the City Council of the City of Sacramento, in the City Hall on I Street between 9th and 10th Streets of said City, and the City Council heard all evidence offered 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 set back easements located in the City of Sacramento, County of Sacramento, State of California, and specifically described below is hereby ordered vacated.

All that portion of the set back easements of Lots 4 and 12 as shown on the official plat of Summerfield Unit No. 2 recorded in the office of the Recorder of Sacramento County, California in Book 124 of Maps, Page 22 described as follows:

The south 12.5 feet of 25 feet set back lying adjacent to the south line of Calvine Road excepting therefrom the west 25 feet of said set back line in Lot 4 and the east 25 feet of said set back line in Lot 12.

(A map or plan of the proposed abandonment is on file in the office of the Director of Public Works).

- 2. The above-described set back easements are unnecessary for present or prospective public use in that:

- a. There are no existing utilities in the portion of the easements to be vacated.

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CITY CLERK

- b. City Traffic Engineering has reviewed said abandonment and found that it will not interfere with the traffic flow in the area or affect the aesthetics of the neighborhood.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT "A"
CITY COUNCIL OF THE CITY OF SACRAMENTO
October 25, 1983

In the Matter of Abandonment)
Proceeding No. 5346, Abandonment)
of Set Back Easements on the South)
Side of Calvine Road at Songbird)
Court)

ENGINEER'S REPORT

A Public Hearing is scheduled for this date pertaining to the proposed abandonment of set back easements along the south side of Calvine Road at Songbird Court.

These proposed abandonments have been undertaken because of the following facts:

1. A request from Pacific Scene of Sacramento was presented to Council on October 4, 1983.
2. That on October 4, 1983, the Director of Public Works presented to the Council the Resolution of Intention, for the abandonments, for approval. On that date, the Council did approve said Resolution of Intention, which set a Hearing date on the abandonments for this date.
3. That on October 5, 1983, a copy of the Resolution of Intention was mailed to the persons requesting the Council for said abandonment notifying them of the Hearing set for this date.
4. That on October 7, 1983 and October 14, 1983, the Resolution of Intention was published in the Daily Recorder and posted on the bulletin board outside the City Clerk's office.
5. That on October 7, 1983 notices were posted along the proposed abandonments.

6. The abandonments would consist of abandoning a portion of the set back easements along the south side of Calvine Road at Songbird Court.

The purpose of the abandonment is to eliminate portions of the existing set back easements which are not being used by either the City of Sacramento or any other utility company.

7. That the various utility companies (SMUD, PG&E and Citizens Utility Company) have each submitted a letter stating they have no facilities in said easements and have no objections to their abandonment.

8. It is my opinion that said abandonment will not affect the aesthetics of the neighborhood or cause any undue hardship upon the City.

Executed this 25th day of October, 1983.

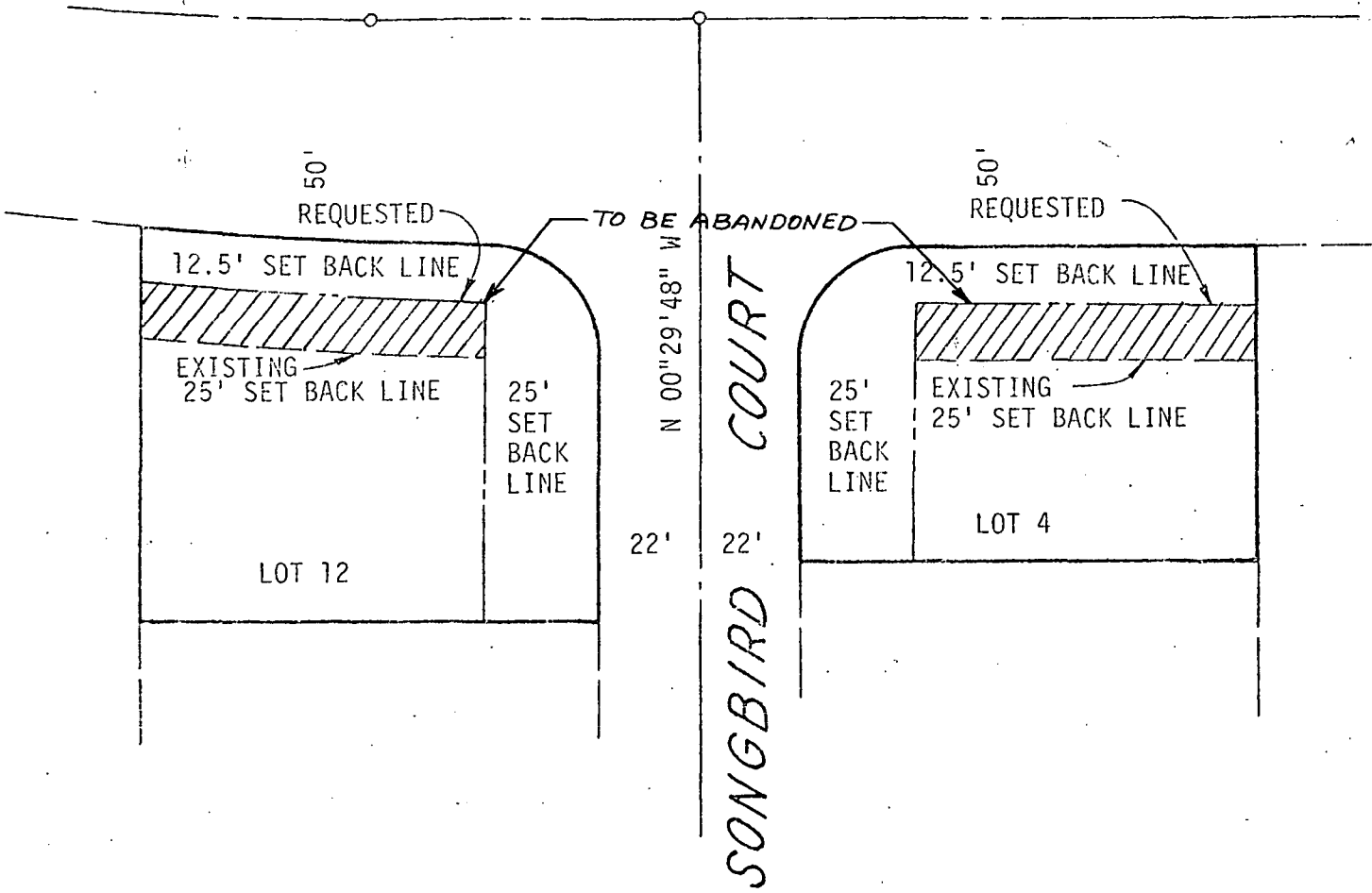
M. H. Johnson

for J. F. VAROZZA
Director of Public Works

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CALVINE ROAD

N 89°30'12" E



PLAT TO ACCOMPANY REQUEST FOR
 ABANDONMENT OF SET BACK LINE

LOTS 4 & 12 OF SUMMERFIELD UNIT NO. 2
 (124 B.M. 22)

CITY OF SACRAMENTO
 Scale 1"=40'

CALIFORNIA
 March, 1983

WO 2160.02



RAYMOND VAIL AND ASSOCIATES
 ENGINEERING • PLANNING • SURVEYING

SACRAMENTO, CALIFORNIA

1410 Ethan Way 95825