



DEVELOPMENT SERVICES  
DEPARTMENT

**CITY OF SACRAMENTO**  
CALIFORNIA

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Sacramento, CA 95814

DEVELOPMENT ENGINEERING  
AND FINANCE

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December 23, 2004

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: THE SUMMARY VACATION (ABANDONMENT) OF THE PORTION OF PUBLIC ROAD RIGHT-OF-WAY, NORTH OF "T" STREET BETWEEN 55TH STREET AND 57TH STREET WITHIN COUNCIL DISTRICT 6 VACATION PROCEEDING NO. VP04-07**

**LOCATION AND COUNCIL DISTRICT:**

North of "T" Street Between 55<sup>th</sup> and 57<sup>th</sup> street in Council District 6 (See Attachment "A").

**RECOMMENDATION:**

This report recommends that the City Council adopt the attached resolution approving the vacation of the subject public road right-of-way portion of "T" Street.

**CONTACT PERSONS:** Jerry Lovato, Senior Technician, 808-7918  
Cesar Narvaez, Engineering Technician III, 808-7873

**FOR COUNCIL MEETING OF:** January 18, 2005

**SUMMARY:**

Mr. Richard Goodnight, owner of the property located at 5545 "T" Street that is adjacent to the subject public road for vacation, has requested the City to vacate this subject public road right-of-way portion of "T". Staff has determined that this portion of "T" Street is an excess right-of-way, and staff recommends approval of this vacation. This portion of "T" Street will provide additional acreages to Mr. Goodnight's property that will allow him to renovate his house and meet the setback requirements of his project.



**COMMITTEE/COMMISSION ACTION:**

The City Planning Commission has reviewed and determined that the vacation of said street is consistent with the City's General Plan.

**BACKGROUND INFORMATION:**

Mr. Goodnight is planning to renovate his house located at 5545 "T" Street that is north of this "T" Street subject for vacation. This portion of "T" Street is approximately 15 feet wide and 96 feet long, which is approximately 1,440 square feet. This portion of "T" Street extends from Mr. Goodnight's property to the back of sidewalk at "T" Street and is currently landscaped, serving as Mr. Goodnight's front yard. His plan includes remodeling his house and extending his garage. In order to meet his project requirement and the setback requirement of the City, this portion of "T" Street must be vacated. Staff has reviewed the request for vacation and finds that the vacation is in conformance with State of California, Streets and Highways Code, Section 8334 (a), that is, the subject road is an excess right-of-way of a street or roadway not required for street or highway purposes.

The Planning Commission has reviewed this proposed vacation and finds that this vacation is consistent with the City's General Plan. City departments and utility companies have reviewed and recommend approval of this request for vacation. Letters regarding this vacation are on file with the Development Services Department, Development Engineering and Finance Division. The public service easements shall be retained on the subject road proposed for vacation.

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. There is no cost to the City.

**ENVIRONMENTAL CONSIDERATIONS:**

The Development Services Department, Environmental Planning Services Division has reviewed the Summary Vacation of a portion of public road right-of-way, north of T Street between 55th and 57th Streets and has determined that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) under Class 5, Section 15305 of the CEQA Guidelines. Projects exempted under Class 5, section number 15305 consist 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 Council action recommended in this report supports the City Strategic Plan goal to promote and support economic vitality, and the State of California, Streets and Highways Code, Section 8330-8334.5 allows for the vacation of streets, alleys, and easements.

City Council  
Vacation, VP04-07  
December 23, 2004

**ESBD CONSIDERATIONS:** None.

Respectfully submitted and approved:

  
Edward Williams, Interim Manager  
Development Engineering and Finance

RECOMMENDATION APPROVED:



*for*

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ROBERT P. THOMAS  
City Manager

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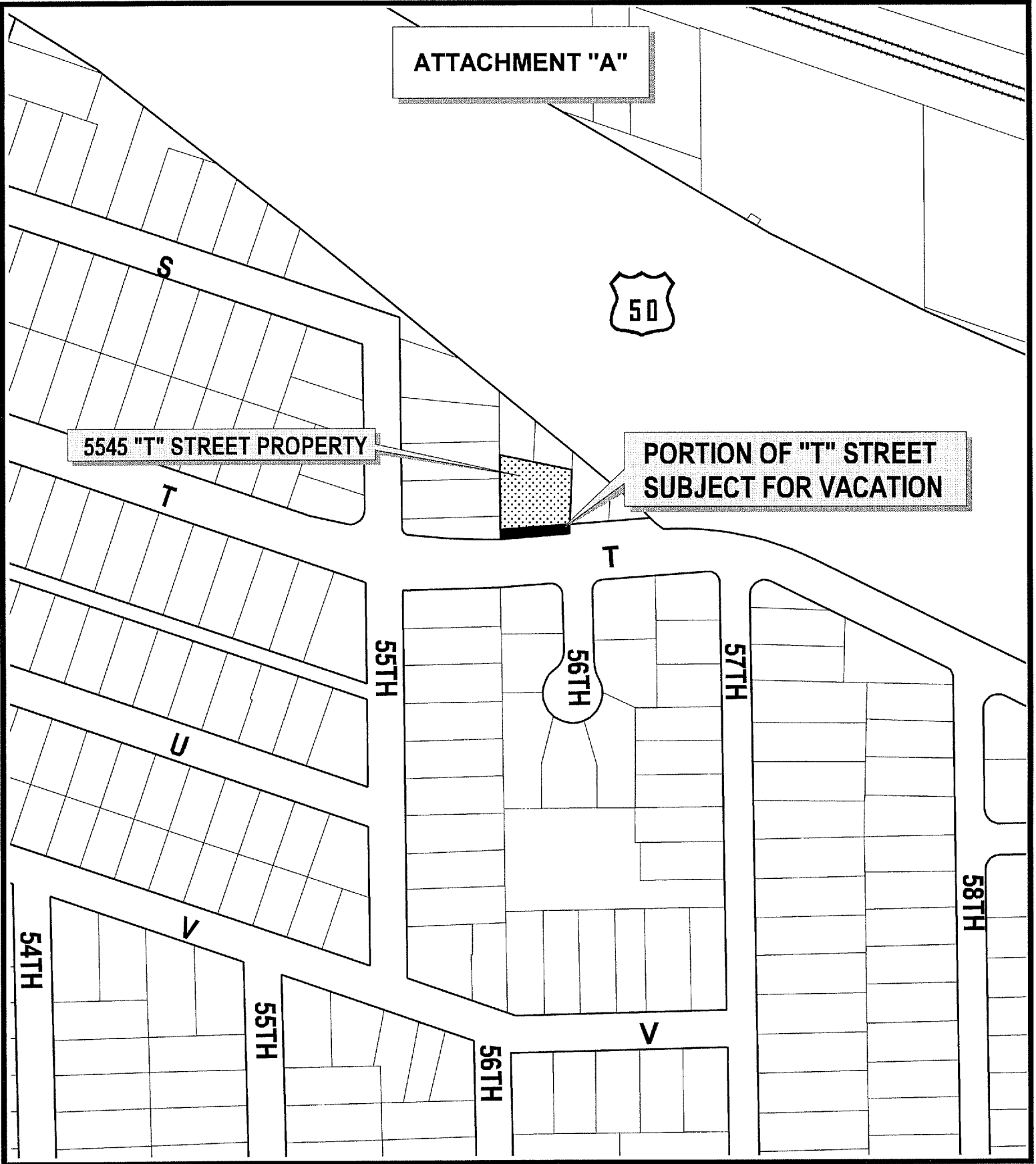
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ATTACHMENT "A"



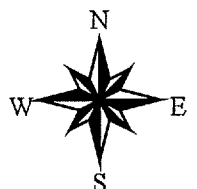
5545 "T" STREET PROPERTY

PORTION OF "T" STREET SUBJECT FOR VACATION



DEVELOPMENT SERVICES DEPARTMENT

VACATION, VP04-07  
Portion of Public Road Right-Of-Way,  
North of "T" Street Between 55th Street  
and 57th Street



# RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

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

## THE SUMMARY VACATION (ABANDONMENT) OF THE PORTION OF PUBLIC ROAD RIGHT-OF-WAY, NORTH OF "T" STREET BETWEEN 55TH STREET AND 57TH STREET WITHIN COUNCIL DISTRICT 6

### VACATION PROCEEDING NO. VP04-07

- A. **WHEREAS**, the City received a request from Mr. Richard Goodnight to vacate the subject 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 8330-8334.5, 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:

Portion of public road right-of-way, north of "T" Street Between 55<sup>th</sup> and 57<sup>th</sup> street in Council District 6, specifically described in Exhibit "A" and Exhibit "B", 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 public road right-of-way to be vacated, specifically described in Exhibit "A" and shown in Exhibit "B" and attached hereto.

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 8310-8317 has considered this vacation in connection with the General and Community Plans and finds the vacation is consistent.
2. The City Council finds that the subject public road right-of-way for vacation is unnecessary for present and prospective public use.

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### FOR CITY CLERK USE ONLY

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

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

3. The City Clerk shall cause a certified copy of this resolution to be recorded at the Office of the Sacramento County Recorder. The vacation shall be effective when the City Clerk records this resolution in the Office of the County Recorder.

\_\_\_\_\_  
MAYOR

ATTEST:

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

CN-DE&F

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**FOR CITY CLERK USE ONLY**

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

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

**EXHIBIT "A"**

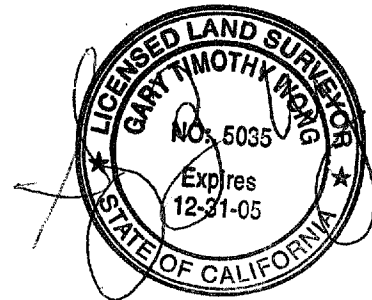
JOB NO. 2004-010

**LEGAL DESCRIPTION**

**PROPERTY TO BE ABANDONED**

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN THAT GRANT DEED RECORDED DECEMBER 23, 1974, IN BOOK 741223, PAGE 83, OF OFFICIAL RECORDS, SAID SOUTHWEST CORNER LOCATED ON THE NORTHERLY LINE OF "T" STREET; THENCE LEAVING SAID POINT OF BEGINNING AND ALONG THE SOUTHERLY LINE OF SAID PARCEL OF LAND AND SAID NORTHERLY LINE OF "T" STREET THE FOLLOWING TWO (2) COURSES: 1) ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 960.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 86°52'00" EAST 52.26 FEET AND 2) SOUTH 85°09'38" EAST 37.74 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL OF LAND; THENCE SOUTH 04°50'32" EAST 15.00 FEET; THENCE NORTH 85°09'38" WEST 37.74 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A CHORD BEARING AND DISTANCE OF SOUTH 86°52'00" WEST 58.15 FEET; THENCE NORTH 01°25'28" WEST 15.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1,432 SQUARE FEET, MORE OR LESS.



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

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

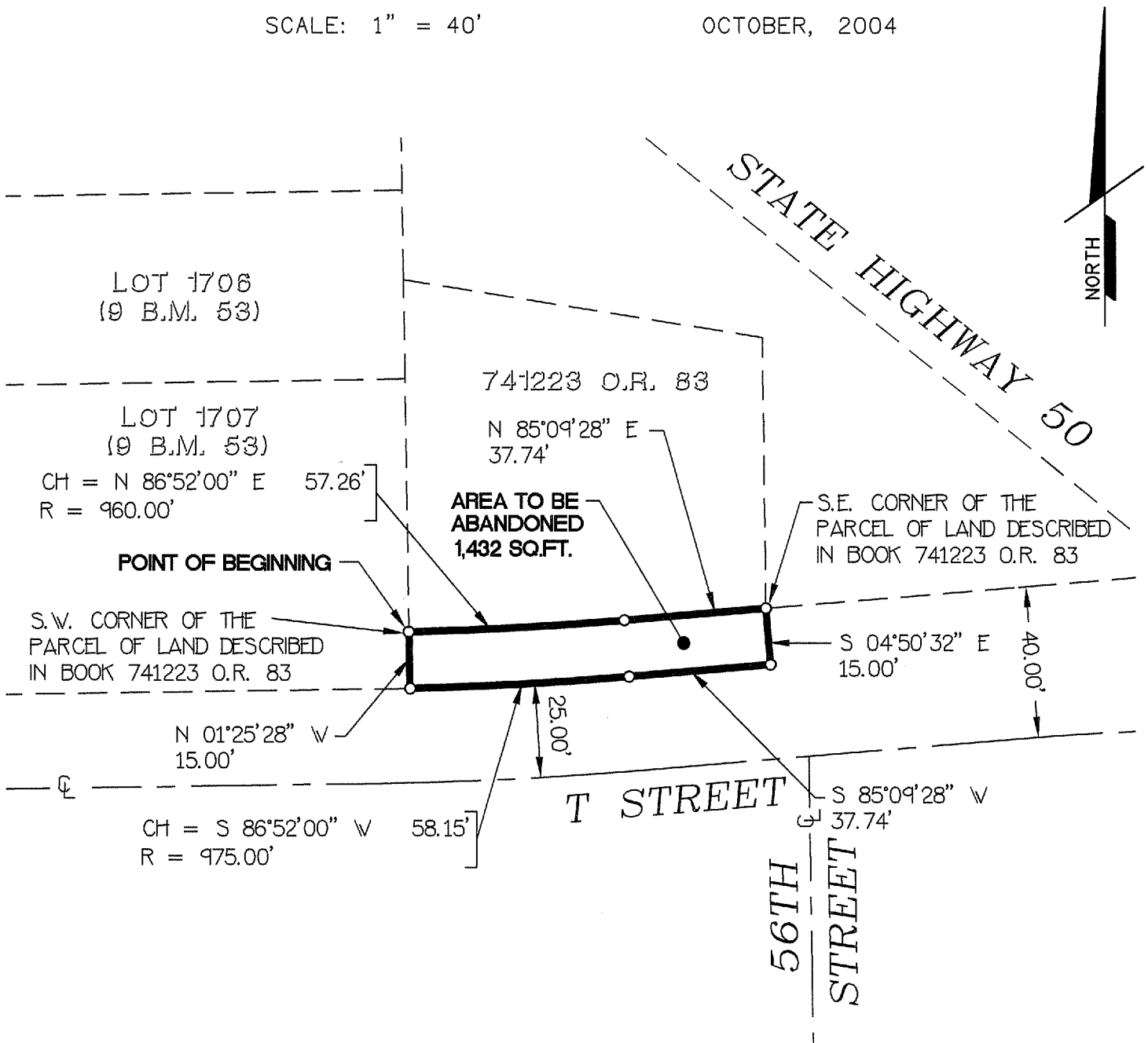
# EXHIBIT "B"

## TO ACCOMPANY LEGAL DESCRIPTION

CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

SCALE: 1" = 40'

OCTOBER, 2004



FOR CITY CLERK USE ONLY

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

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

