



DEVELOPMENT SERVICES  
DEPARTMENT

CITY OF SACRAMENTO  
CALIFORNIA

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DEVELOPMENT ENGINEERING  
AND FINANCE DIVISION

March 14, 2005

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: THE VACATION (ABANDONMENT) OF THE PUBLIC UTILITY EASEMENT  
LOCATED ALONG THE EAST SIDE OF BRUCEVILLE ROAD BETWEEN  
JACINTO ROAD AND SHELBY STREET WITHIN COUNCIL DISTRICT 8  
VACATION PROCEEDING NO. VP05-02**

**LOCATION AND COUNCIL DISTRICT:**

Along the east side of Bruceville Road Between Jacinto Road and Shelby Street in Council District 8 (See Attachment "A").

**RECOMMENDATION:**

This report recommends that the City Council adopt the attached resolution:

- Approving the vacation of the subject public utility easement located along the east side of Bruceville Road between Jacinto Road and Shelby Street.

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

**FOR COUNCIL MEETING OF: April 14, 2005**

**SUMMARY:**

"Silverado Family Apartments, L.P.", has requested the City to vacate the subject public utility easements located along the east side of Bruceville Road. The vacation of the subject public utility easement will facilitate the road widening of Bruceville Road between Jacinto Road and



Shelby Street that is part of the improvement requirement of Silverado Creek Apartments Project (Z04-086).

**COMMITTEE/COMMISSION ACTION:**

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

**BACKGROUND INFORMATION:**

The applicant, "Silverado Family Apartments, L.P.", owns the property located east of Bruceville Road with Assessor's Parcel Number 117-0204-018. The City Zoning Administrator on June 23, 2004 approved this property for a 168-unit apartment complex development, Silverado Creek Apartments Project (Z04-086). The road widening of Bruceville Road is part of the improvement requirement of this project. The vacation of the subject public utility easement will facilitate the road widening of Bruceville Road between Jacinto Road and Shelby Street. A new public utility easement has been dedicated to replace the existing public utility easement for vacation, and all facilities located in the existing public utility easement will be relocated to the new public utility easement. A new public road right-of-way has been dedicated to accommodate the widening of Bruceville Road between Jacinto Road and Shelby Street.

City departments and utility companies have reviewed this request for vacation. Letters regarding this vacation are on file with the Development Services Department, Development Engineering and Finance Division. Staff has reviewed the request for vacation and finds that the vacation is in conformance with State of California, Streets and Highways Code, Section 8310-8317.

Notice of vacation was posted along the subject right-of-way on March 29, 2005 and the public hearing date was published in the Daily Recorder on April 1, 2005 and April 8, 2005 (see Attachment "B" for the time schedule for this vacation).

Following vacation, the title to the subject property is cleared of the public utility easement.

**FINANCIAL CONSIDERATIONS:**

The applicant is responsible for all fees required to process the vacation application and there is no cost to the City.

**ENVIRONMENTAL CONSIDERATIONS:**

The Development Services Department, Environmental Planning Services Division has reviewed the Vacation of the Public Utility Easement of Bruceville Road between Jacinto Road and Shelby Street and determined that this project is exempt under the provision of the California Environmental Quality Act (CEQA) under Class 5, Section 15305 of the CEQA Guidelines. Projects exempt under Class 5, Section 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 and goal to promote and support economic vitality.

The State of California, Streets and Highways Code, Section 8310-8317 allows for the vacation of streets, alleys, and easements.

**ESBD CONSIDERATIONS:**

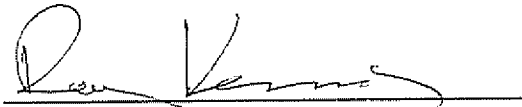
City Council adoption of the attached resolution is not affected by City policy related to the ESBD Program.

Respectfully submitted,



Edward Williams, Manager  
Development Engineering And Finance

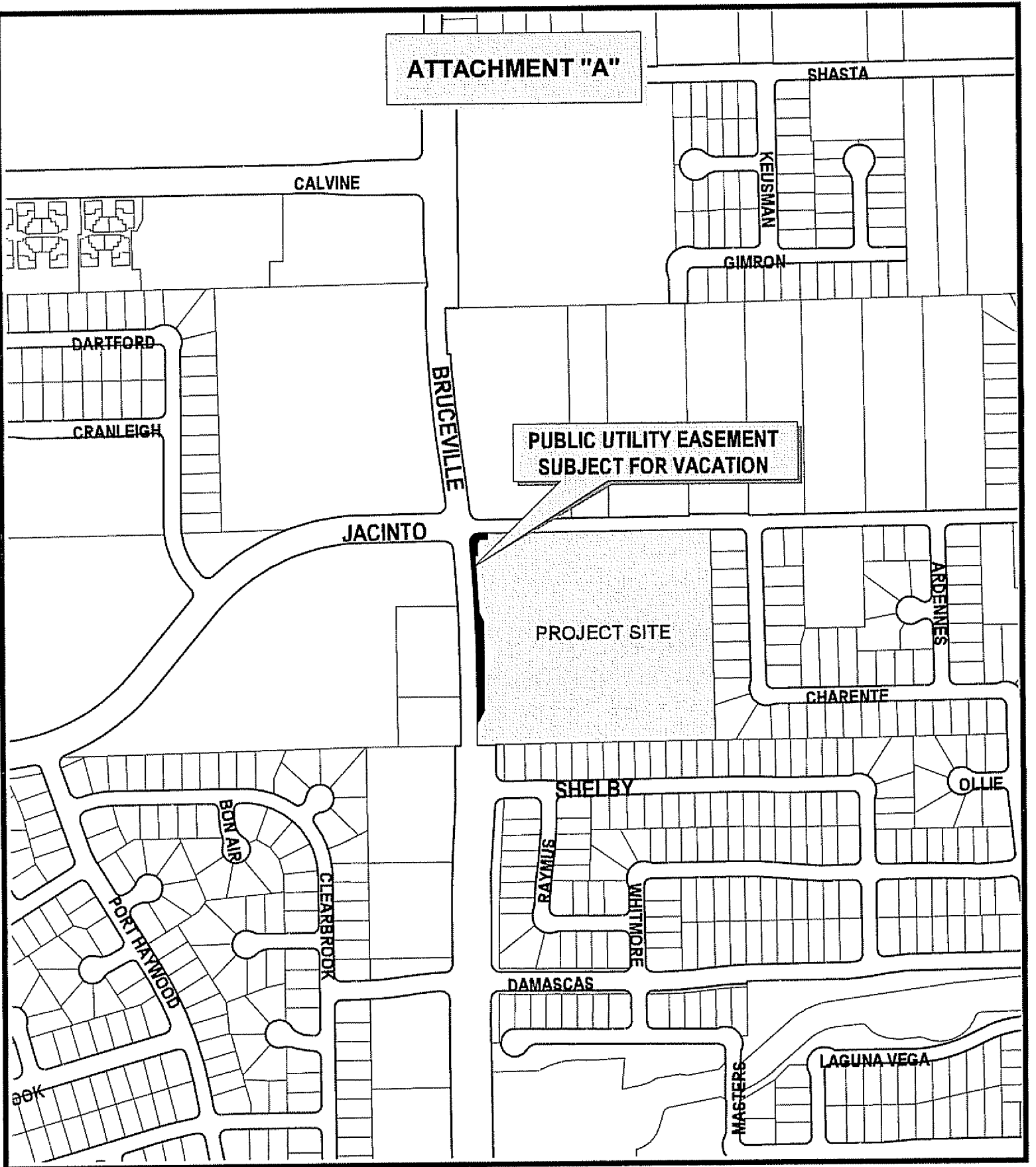
**RECOMMENDATION APPROVED:**

  
ROBERT P. THOMAS  
City Manager

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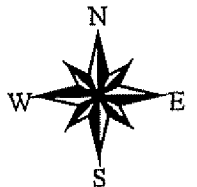
**ATTACHMENT "A"**



200 0 200 400 600 800 Feet

**VACATION, VP05-02**  
Public Utility Easement Located Along  
The East Side Of Bruceville Road Between  
Jacinto Road And Shelby Road

CesarN\_032205



**DEVELOPMENT SERVICES  
DEPARTMENT**

**ATTACHMENT B**

**NOTICING SCHEDULE**

**VACATION PROCEEDING NO. VP05-02**

Posting on Alleys/Street	March 29, 2005
1 <sup>st</sup> Copy of Resolution Published in Daily Recorder	April 1, 2005
2 <sup>nd</sup> Copy of Resolution Published in Daily Recorder	April 8, 2005

Public Hearing at City Council	April 14, 2005
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# RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

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

## THE VACATION (ABANDONMENT) OF THE PUBLIC UTILITY EASEMENT LOCATED ALONG THE EAST SIDE OF BRUCEVILLE ROAD BETWEEN JACINTO ROAD AND SHELBY STREET WITHIN COUNCIL DISTRICT 8

### VACATION PROCEEDING NO. VP05-02

**WHEREAS**, the City received a request from "Silverado Family Apartments, L.P." to vacate the subject public utility easement within the City of Sacramento; and

**WHEREAS**, the City Council would consider the vacation in compliance with the State of California, Streets and Highways Code, Section 8310-8317, and

**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:**

The public utility easement located along the east side of Bruceville Road between Jacinto Road and Shelby Street specifically described in Exhibit "A" and Exhibit "B", is hereby ordered vacated subject to the conditions specified in this resolution.

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. This vacation is subject to the following conditions:
  - a. The applicant shall provide on-street bikeway and sidewalk along Bruceville Road according to City Standard to the satisfaction of Transportation Department – Alternate Modes Coordinator.
  - b. The applicant shall relocate existing Comcast facilities to the new public utility easement to the satisfaction of Comcast.

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**FOR CITY CLERK USE ONLY**

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

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

3. All conditions specified in paragraph 2 for this resolution must be completed within two years of the date of this resolution. If all conditions are not completed within the two years specified, this resolution approving the vacation shall become void, unless the City Council grants a time extension.
4. Once the conditions in paragraph 3 are met, 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 with the County Recorder.

\_\_\_\_\_  
MAYOR

ATTEST:

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

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**FOR CITY CLERK USE ONLY**

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

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

December 7, 2004  
030049

EXHIBIT "A"  
LEGAL DESCRIPTION  
EASEMENT RELINQUISHMENT



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

That portion of that certain 12.50 feet wide easement for public utilities lying within Lot 19, as said easement and lot are shown on the plat of Laguna Meadows, filed in Book 184 of Maps, Map No. 6, Official Records of Sacramento County, more particularly described as follows:

Beginning at a point in the Westerly line of said Lot 19 from which point the Southwest corner of said Lot 19 bears along said Westerly line South 00°44'18" East 52.18 feet; thence from said point of beginning, along said Westerly line the following three (3) courses: (1) North 00°44'18" West 345.94 feet; (2) along the arc of a curve to the left, concave Westerly, having a radius of 3062.00 feet and being subtended by a chord bearing North 02°24'11" West 177.88 feet and (3) along the arc of a curve to the right, concave Southerly, having a radius of 25.00 feet and being subtended by a chord bearing North 42°30'20" East 36.31 feet; thence leaving said Westerly line South 00°55'32" East 6.00 feet; thence along the arc of a curve to the left, concave Southerly, having a radius of 19.00 feet and being subtended by a chord bearing South 42°30'20" West 27.60 feet; thence South 85°56'12" West 3.00 feet; thence along the arc of a curve to the right, concave Westerly, having a radius of 3065.00 feet and being subtended by a chord bearing South 02°41'45" East 146.74 feet; thence South 10°33'34" East 50.77 feet; thence South 00°44'18" East 283.00 feet; thence South 13°50'09" West 45.70 feet to the point of beginning.

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

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

