



# CITY OF SACRAMENTO

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DEPARTMENT OF ENGINEERING  
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CITY MANAGER'S OFFICE  
**RECEIVED**  
SEP 8 1982

J.F. VAROZZA  
CITY ENGINEER  
M.H. JOHNSON  
ASSISTANT CITY ENGINEER

September 14, 1982

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT:** Hearing on the Resolution of Intention to Abandon a Portion of the Public Utility Easements in Abandoned 19th Street between B and C Streets and Adjacent Alley, Abandonment Proceeding No. 5272

SUMMARY:

A Hearing has been set for this date on the proposed abandonment of a portion of public utility easements in abandoned 19th Street between B and C Streets and the adjacent alley. Approval of the abandonment is recommended.

BACKGROUND INFORMATION:

On October 4, 1942, the City Council adopted Ordinance No. 914, 4th Series, which abandoned the alley between B and C Streets, from 19th Street westerly 160 feet, and on July 31, 1952, they also adopted Ordinance No. 1674, 4th Series, which abandoned 19th Street from the south line of B Street to the alley lying between B and C Streets and the alley between B and C Streets from 19th Street to the Western Pacific Railroad. Both abandonments reserved a public utility easement over the entire street and alley that were abandoned. The City of Sacramento is the only entity that is using the easements and has water mains in place in said street and alley.

The owner of the property, Foremost-McKesson, has requested that the easement be reduced from the existing 80 feet and 20 feet widths to an easement width acceptable to our Water Division, and also requests that only the City retain easement rights. The various utility companies have filed a letter with the City stating they have no existing utility in said street and alley and therefore have no objection to the abandonment as proposed by the owners.

On August 24, 1982, 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.

**APPROVED**  
BY THE CITY COUNCIL

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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 DATA:

No City funds are to be expended for these abandonments.

RECOMMENDATION:

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

  
J. P. VAROZZA  
City Engineer

Recommendation Approved:



Walter J. Slipe, City Manager

JFV:IEM:ls  
Attachment  
File #5272

September 14, 1982  
District No. 1



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

7. That the various utility companies (SMUD, PT & T and PG & E) have submitted a letter stating they have no facilities in said easements and have no objection to their abandonment.

8. It is my opinion that said abandonments will not affect the aesthetics of the neighborhood or cause any undue hardship upon the City to maintain our existing water and sewer lines that are to remain within any easements retained by the City.

Executed this 14th day of September, 1982.

*John F. Varozza*  
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J. F. VAROZZA  
City Engineer

RESOLUTION NO. 82-652

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

September 14, 1982

RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING THE VACATION AND ABANDONMENT OF A PUBLIC SERVICE EASEMENT IN 19TH STREET AND ADJACENT ALLEY FOR ABANDONMENT PROCEEDING NO. 5272

WHEREAS, the City Council adopted on August 24, 1982 a Resolution of Intention to abandon and vacate a public service easement in 19th Street and adjacent alley pursuant to the standards and procedures provided in the Public Streets, Highways, Service Easements Vacation law, California Streets and Highways Code S8300 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 Sections 8322 and 8323.

WHEREAS, a public hearing to consider the proposed vacation was held before the City Council at the hour of 7:30 o'clock p.m. on September 14, 1982 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 in 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 public service easements located in the City of Sacramento, County of Sacramento, State of California, and specifically described below is hereby ordered vacated:

PARCEL NO. 1

The public utility easements reserved in City of Sacramento Ordinance No. 1674, 4th Series, recorded on August 5, 1952 in Book 82-08-05 O.R. Page 673 of the Recorder of Sacramento County more particularly described as follows:

The public utility easements reserved in 19th Street (now abandoned) from the southerly right of way line of B Street to the southerly right of way line of the alley (now abandoned) lying between B and C Streets as shown on the official map or plat of the City of Sacramento. Reserving

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However, an exclusive easement to the City of Sacramento, a strip of land 20 feet in width the center line of which is located 12 feet easterly of the center line of said 19th Street (now abandoned) and a strip of land 10 feet in width lying in 19th Street (now abandoned) from a point located 13 feet north of the extension of south line of said abandoned alley to the extension of the southerly line of said abandoned alley, the center line of said 10 feet strip of land being located 16 feet westerly of the center line of 19th Street (now abandoned), said reservations are being retained to giving the City of Sacramento the right to enter, repair, maintain and construct water pipe line now in place in said easement, or which from time to time, may be necessary to be placed therein.

PARCEL NO. 2

The public utility easements reserved in the City of Sacramento Ordinance No. 1674, 4th Series, recorded on August 5, 1952 in Book 82-08-05 O.R. Page 673 and Ordinance No. 964, 4th Series, recorded on September 9, 1942 in Book 968 O.R. Page 366 and 367 of the Recorder of Sacramento County more particularly described as follows:

The public utility easements reserved in the alley lying between B and C Streets (now abandoned) from a point located 160 feet westerly of the west line of 19th Street (now abandoned) to a point located 160 feet easterly of the east line of said 19th Street (now abandoned) as shown on the official map or plat of the City of Sacramento. Reserving However, an exclusive easement to the City of Sacramento, a strip of land 10 feet in width the center line of which is located 3 feet north of the center line of said abandoned alley, said reservation is being imposed to give the City of Sacramento the right to enter, repair, maintain and construct water pipe lines now in place in said easement, or which from time to time, may be necessary to be placed therein.

(A map or plan of the proposed abandonment is on file in the office of the City Engineer).

2. The above described portion of the public service easement is unnecessary for present or prospective public use in that:

- a. There are no existing utilities in the portion of the easements to be abandoned.
- b. It will not affect the aesthetics of the neighborhood.

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MAYOR

ATTEST:

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CITY CLERK