

## **RESOLUTION NO. 2006-884**

Adopted by the Sacramento City Council

December 5, 2006

### **SUMMARILY VACATING A SEGMENT OF THE ALLEY BOUNDED BY ALTOS AVENUE, KNIGHTLINGER STREET, MOREY AVENUE AND LINDSAY AVENUE WITHIN COUNCIL DISTRICT 2 VACATION PROCEEDING NO. VP06-07**

#### **BACKGROUND**

- A. "Zion Church in Jesus Christ" requested that the City vacate a segment of the alley bounded by Altos Avenue, Knightlinger Street, Morey Avenue and Lindsay Avenue located within the City of Sacramento.
- B. The City of Sacramento Planning Director reviewed this vacation proceeding pursuant to Sacramento City Code 2.112.080 and State of California Government Code Section 65402 and concluded that this vacation is consistent with the City's General Plan and applicable Community Plan.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. Subject to the reservation below in Section 2, the segment of the alley bounded by Altos Avenue, Knightlinger Street, Morey Avenue and Lindsay Avenue within Council District 2, specifically described in Exhibit A and Exhibit B of this Resolution, is hereby ordered vacated subject to the conditions specified in Section 5.
- Section 2. Pursuant to Streets and Highways Code Section 8306 and 8340 the City reserves a public service easement in the segment of the alley bounded by Altos Avenue, Knightlinger Street, Morey Avenue and Lindsay Avenue within Council District 2, specifically described in Exhibit A and Exhibit B for all the purposes and reasons described in Streets and Highways Code Sections 8306 and 8340 including but not limited to the 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 the public road/alley right-of-way to be vacated.
- Section 3. The vacation of the segment of the alley bounded by Altos Avenue, Knightlinger Street, Morey Avenue and Lindsay Avenue within Council District 2, specifically described in Exhibit A and Exhibit B is made pursuant to State of California Streets and Highways Code, Division 9, Part 3, Chapter 4. Pursuant to California Streets and Highways Code

Section 8334, the City Council finds that the segment of the alley bounded by Altos Avenue, Knightlinger Street, Morey Avenue and Lindsay Avenue within Council District 2, specifically described in Exhibit A and Exhibit B is an excess right-of-way not required for street purposes.

Section 4. The City Council finds that the said vacation has been submitted to and reported on by the City's Planning Division and finds that the said vacation is consistent with the City's General Plan and applicable Community Plan.

Section 5. This vacation is subject to the following conditions:

- a) The applicant must raise to grade the water main valve within the vacated portion of the alley and keep it accessible at all times to the satisfaction of the City's Department of Utilities.
- b) The applicant shall provide ingress, egress and maneuvering easement agreement over the vacated portion of the alley to the adjacent owners to the subject alley to the satisfaction of Development Services Department-Development Engineering Division.
- c) The applicant shall install two gates, one at the alley entrance of Altos Avenue and the second at the other side of the vacated segment of the alley to the City's specifications. A gate security device approved by the Sacramento Fire Department will be installed on these gates.

Section 6. The conditions specified in Section 5 of 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 one or more time extensions.

Section 7. Once the conditions in Section 5 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.

**Table of Contents:**

Exhibit A: Legal Description

Exhibit B: Exhibit Plat/Map

Adopted by the City of Sacramento City Council on December 5, 2006 by the following vote:

Ayes: Councilmembers, Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters

Noes: None.

Abstain: None.

Absent: Mayor Fargo.

Attest:

  
Shirley Concolino, City Clerk


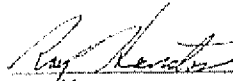
  
Robert King Fong, Vice Mayor

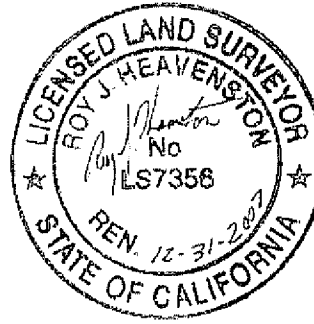
Exhibit "A"

Legal description  
Vacation of portion of public alley

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

The easterly 150.00 feet of the 14 foot wide Public Alley bounded by Lindsay Avenue, Altos Avenue, Morey Avenue and Knightlinger Street, as said Alley is shown on the Amended Plat of "West Del Paso Heights" filed for record in Book 12 of Maps, at Page 52, official records of said County

  
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Roy Heavenston  
L S 7356



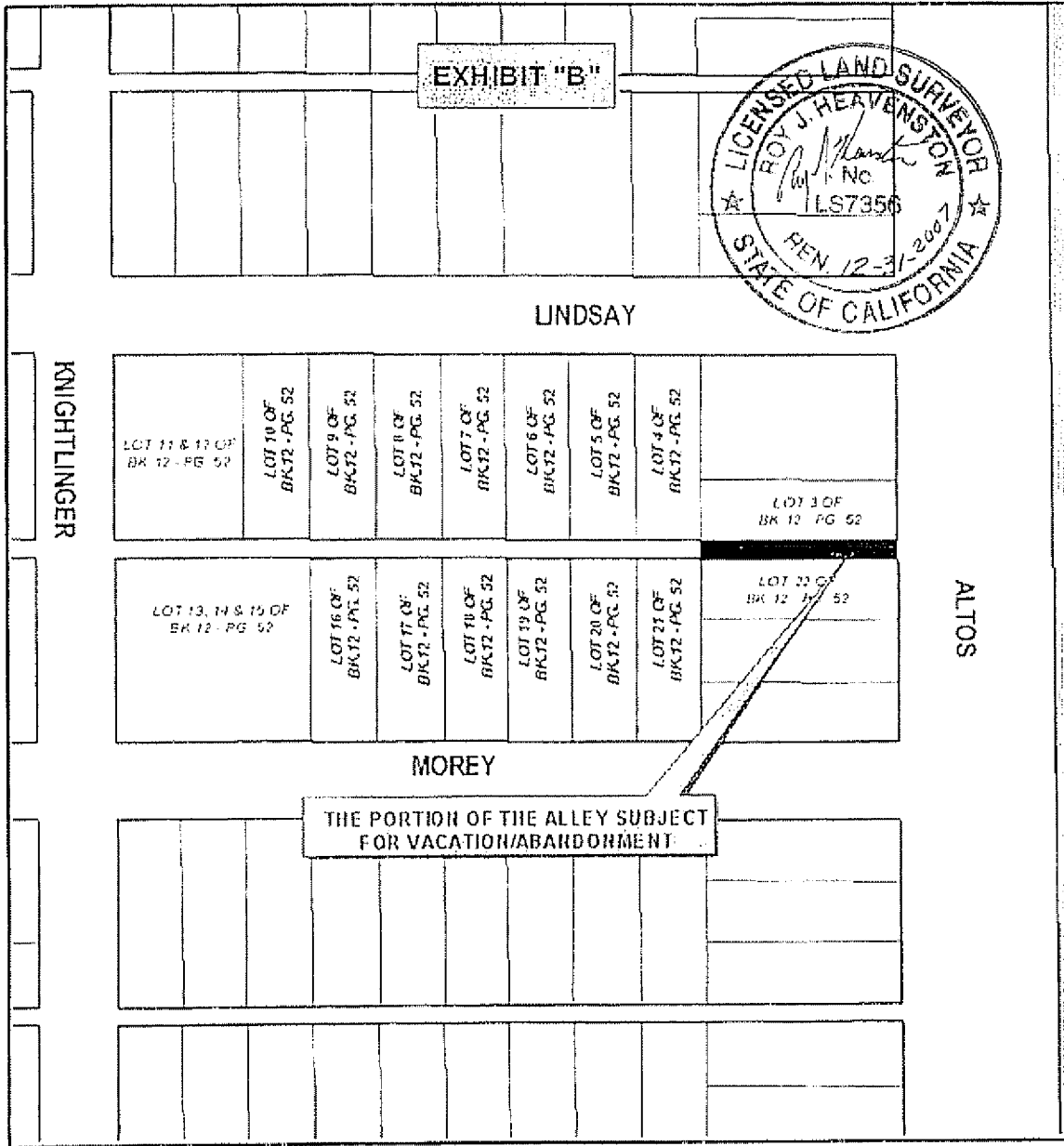
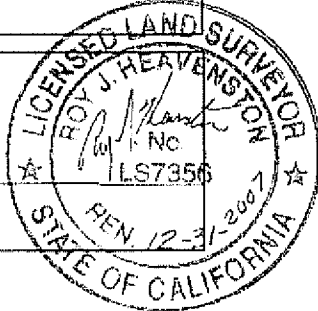
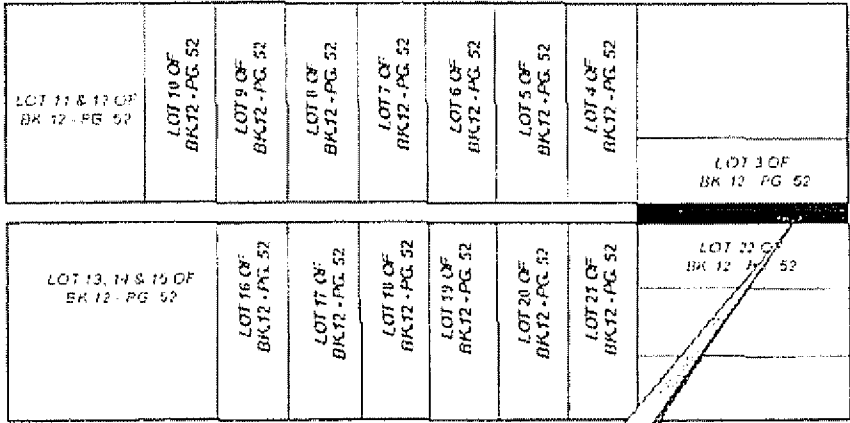


EXHIBIT "B"



LINDSAY

KNIGHTLINGER



ALTOS

MOREY

THE PORTION OF THE ALLEY SUBJECT FOR VACATION/ABANDONMENT

100 0 100 200 Feet



VACATION,  
 Portion of the alley bounded by Linday Avenue,  
 Altos Avenue, Morey Avenue and Knightlinger  
 Street



Record for the Benefit of the City of Sacramento - Fee Exempt Pursuant to Government Code Section 6103.

When Recorded, Mail to:

Office of the City Clerk  
Historic City Hall  
915 "I" Street, First Floor  
Sacramento CA 95814-2604



Sacramento County Recording  
Craig A Kramer, Clerk/Recorder

BOOK **20070412** PAGE **0503**

Thursday, APR 12, 2007 9:59:24 AM  
Ttl Pd \$0.00 Nbr-0004840587

JLM/15/1-6

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This Space for Recorder's Use

Resolution No. 2006-884- Summarily Vacating a segment of the alley bounded by Altos Avenue, Knightlinger Street, Morey Avenue and Lindsay Avenue within Council District 2 – Vacation Proceeding No. VP06-07

Title of Document



THIS IS A TRUE COPY  
OF AN ORIGINAL DOCUMENT  
ON FILE WITH THE  
CITY CLERK

*S. Mizuno*

STEPHANIE MIZUNO  
ASSISTANT CITY CLERK

DATE CERTIFIED: 04-09-07

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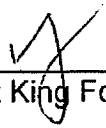
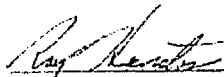
  
Robert King Fong, Vice Mayor

Exhibit "A"

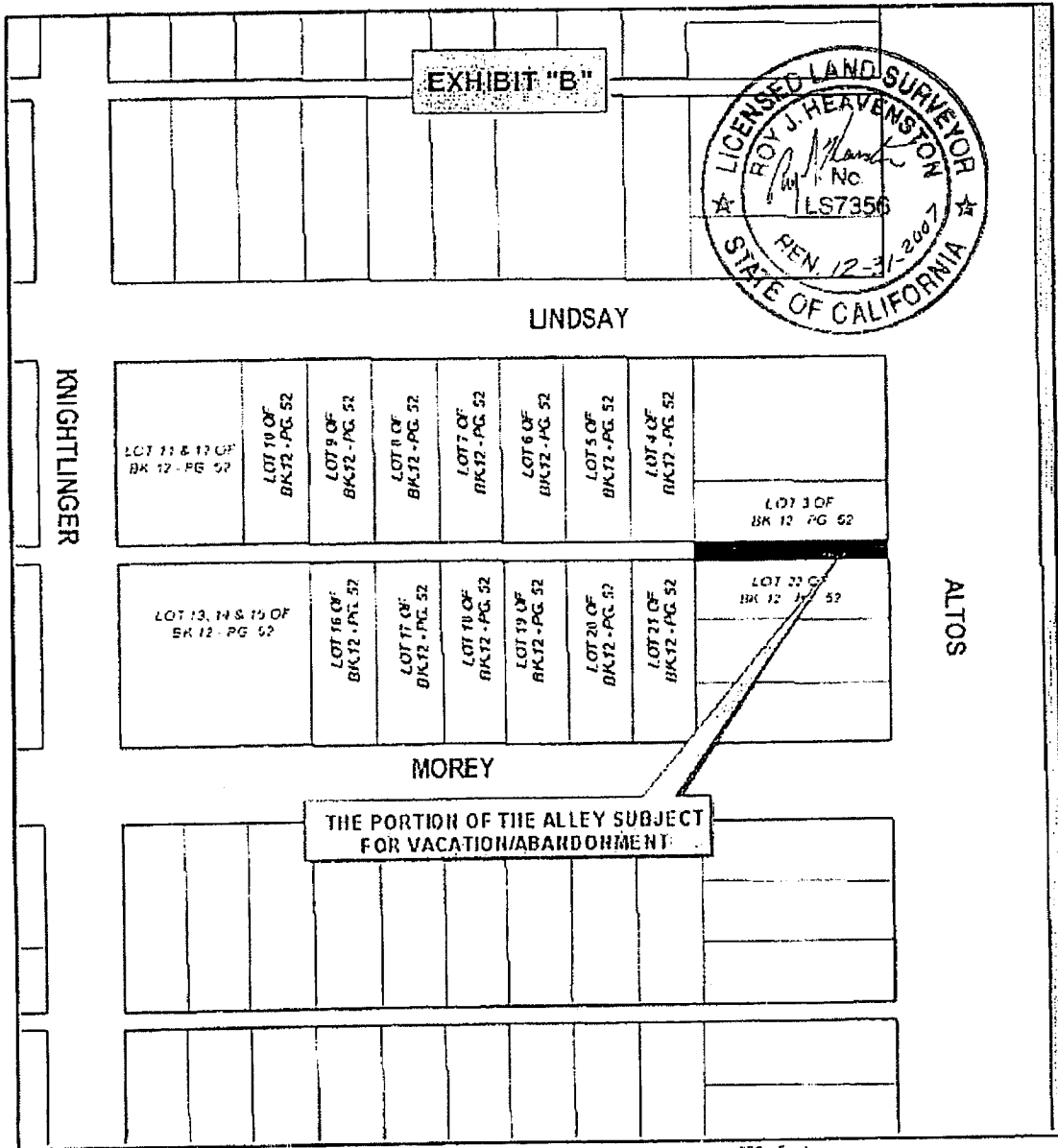
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Roy J Heavenston  
L S 7356





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 Street

