

ORDINANCE NO. 1559, FOURTH SERIES.

AN ORDINANCE QUITCLAIMING, CONVEYING AND ABANDONING THAT CERTAIN EASEMENT FOR A 42 FOOT ROAD LYING WITHIN THE PROPERTY FORMERLY OWNED BY H. K. MERKLEY AND NOW HELD BY THE HOUSING AUTHORITY OF THE CITY OF SACRAMENTO, ACCORDING TO PROVISIONS OF COOPERATION AGREEMENT DATED MARCH 30, 1950, BETWEEN THE CITY OF SACRAMENTO AND SAID HOUSING AUTHORITY, AND MAKING THIS ORDINANCE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY.

WHEREAS, heretofore the City of Sacramento acquired that certain interest in real property situate in the City of Sacramento, County of Sacramento, State of California, described as follows:

Reservation of an easement for a road 42 feet in width lying contiguously along the South side of the North boundary of the herein described property, running from the 40 foot strip of land conveyed for road purposes, by E. T. Merkley to the Southern Pacific Company, dated October 8, 1907, of record in Book 261 of Deeds, page 338, Westerly to the Southern Pacific Company's right of way, as contained in deed from City of Sacramento to R. A. Merkley, dated June 8, 1939, recorded June 21, 1939, in Book 760 of Official Records, page 249; and

WHEREAS, heretofore and pursuant to public notice had and given in the manner provided by law, the City did duly and regularly execute and enter into that certain Cooperation Agreement, dated March 30, 1950, by and between the Housing Authority of the City of Sacramento, as first party, and the City of Sacramento, a municipal corporation, as second party, which said agreement, among other things, provided in Paragraph 5, sub-section (b), that it would vacate such streets, roads and alleys within the project area as may be necessary, in order to further the development of said local Housing Authority, and that said City would vacate such roads without cost or expense to said local authorities; and

WHEREAS, the said Housing Authority of the City of Sacramento has requested, in writing, that the City quitclaim and forever release its interest in and to said 42 foot right-of-way for road purposes, pursuant to said Cooperation Agreement; and

WHEREAS, the Housing Authority has made arrangements to provide access through streets to be dedicated to the property owned by the City of Sacramento, and that the City of Sacramento will no longer have any need for the use of said easement,

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1: That the City of Sacramento does hereby

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quitclaim, release and forever convey and abandon all of its title or interest in and to the above described easement, without reservation, to the Housing Authority of the City of Sacramento.

SECTION 2: That this ordinance is hereby made an emergency measure and shall take effect immediately; such emergency being the immediate necessity of conveying the City's interest in said easement to the Housing Authority, in order for the Housing Authority to complete, without delay, new housing projects to be constructed upon adjoining property.

PASSED: December 21, 1950

EFFECTIVE: December 21, 1950

Ben L. Geisler
MAYOR.

ATTEST:

H. L. Dinton

CITY CLERK.

