

RESOLUTION NO.

2004-840

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF: OCT 26 2004

**RESOLUTION AMENDING ADOPTED CONDITIONS FOR THE
STREETS AND ALLEY ABANDONMENT FOR THE R STREET
MARKET PROJECT (RESOLUTION NO. 2001-752)**

WHEREAS, the City received a request from Petrovich Development Company to amend Section 6 of the Abandonment Resolution No. 2001-752, to state "All conditions specified in paragraph 4 of this resolution must be completed within three years of the date of this resolution. If all the conditions are not completed within three years specified, this resolution approving the abandonment shall become void, unless the City Council grants a time extension"; and

WHEREAS, the Petrovich Development Company has completed all other conditions set forth by Abandonment Resolution No. 2001-752.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. Resolution No. 2001-752, Section 6 (Exhibit A) is amended as follows: "6. All conditions specified in paragraph 4 of this resolution must be completed within three years of the date of this resolution. If all the conditions are not completed within the three years specified, this resolution approving the abandonment shall become void, unless the City Council grants a time extension."
2. The City Clerk shall cause a certified copy of this resolution and Abandonment Resolution No. 2001-752, to be recorded. The abandonment shall be effective when the City Clerks records these resolutions in the Office of the County Recorder.

HEATHER FARGO
MAYOR

ATTEST: SHIRLEY CONCOLINO

CITY CLERK

CN-DE&F

FOR CITY CLERK USE ONLY

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ATTACHMENT A

RESOLUTION NO. 2001-752

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF NOV 13 2001

RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING ABANDONMENT OF A PORTION OF 18TH STREET FROM R STREET TO S STREET, AND R STREET FROM 18TH STREET TO 19TH STREET, AND THE ALLEY BOUNDED BY 18TH STREET AND 19TH STREET, R STREET AND S STREET COUNCIL DISTRICTS 3 and 4 ABANDONMENT PROCEEDING NO. AP01-15

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

- A. WHEREAS, the City received a petition to abandon from owners of property within the City of Sacramento requesting the City Council to consider abandonment of the subject property; and
- B. WHEREAS, a notice that the City Council would consider the proposed abandonment at a Public Hearing was given in compliance with California Streets and Highways Code, Section 6300, et. seq.; and
- C. WHEREAS, the Planning and Building Department reviewed the proposed abandonment pursuant to Government Code Section 65402 and concluded that said abandonment 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:

- 1. The portion of 18th Street from R Street to S Street, and R Street from 18th Street to 19th Street, and the alley bounded by 18th Street and 19th Street, R Street and S Street specifically described in Exhibits "A" and "B" attached hereto, is hereby ordered abandoned subject to the conditions specified in this resolution.

A map or plan of the proposed abandonment is attached as Exhibit "B" and is on file with the Department of Public Works, Development Services Section, located at 1231 I Street, Room 300.

- 2. The City Council finds that the above described streets and alley are not necessary for present or prospective public use.

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Exhibit B

3. The City Council hereby finds that said abandonment has been submitted to and reported on by the Planning and Building Department as to conformity with the City General Plan. The Council, pursuant to Streets and Highways Code Section 8300 et. Seq., has considered this abandonment in connection with the General and Community Plans and finds the abandonment consistent with them in that it satisfies the City Council's "Review Guidelines for Street and Alley Closures," adopted May 7, 1996, by Resolution No. 96-176.
4. This abandonment is subject to the following conditions which shall be fulfilled at no cost to the city.

A. R Street between 18th Street and 19th Street

- 1) R Street at 18th Street and 19th Street must be reconstructed to close off the street with either standard City sidewalk, curb, and gutter or standard City driveways to the satisfaction of the City Department of Public Works. Work at 19th Street must be coordinated with intersection and street work by the Sacramento Regional Transit District's South Sacramento Corridor Project.
- 2) Existing SMUD electrical facilities shall be relocated. New rights of way shall be granted to SMUD for the relocated electrical facilities.
- 3) An agreement satisfactory to Comcast (AT&T Broadband) shall be entered into for relocations of their facilities.
- 4) The existing sewer/drain main shall be abandoned and relocated with a new sewer/drain main in 19th Street between R and S Streets to the satisfaction of the Department of Utilities.
- 5) Applicant shall cause any and all existing utility facilities not identified heretofore to be provided with any necessary modifications within easements along existing alignments or shall cause same to be relocated to the satisfaction of the City's Department of Public Works.

B. 18th Street between R Street and S Street

- 1) A minimum street width of 37 feet shall be provided between the existing westerly curb flow line and the back of the proposed easterly curb. The easterly curb shall be a Curb and Gutter No. 4.
- 2) A minimum 4 foot wide sidewalk shall be provided on the easterly side of the street. The 4 foot width may need to be increased to conform to ADA requirements, street lighting requirements, and for placement of other appurtenances. The applicant shall

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Exhibit C

dedicate an easement for the foregoing sidewalk, street lights, and appurtenances;

g) A Class III bikeway shall be provided. This may include signs and pavement markings as required;

h) Existing SMUD electrical facilities shall be relocated. New rights of way shall be granted to SMUD for the relocated electrical facilities.

i) An agreement satisfactory to Comcast (AT&T Broadband) shall be entered into for relocations of their facilities.

C. R.S. 18th, 19th Streets Alley

1) Applicant shall obtain an access, construction, and maintenance easement of the southerly one-half (10 feet) of the alley between R. S. 18th, and 19th Streets adjacent to the 1816 19th Street property (APN 010-0021-002);

2) Applicant shall provide the owner and it's business at the 1816 19th Street property (APN 010-0021-002) an easement to access the 19th and S Streets driveways;

3) Applicant shall provide the owner and it's business at the 1816 19th Street property (APN 010-0021-002) three (3) parking stalls on-site at 1816 19th Street. Said stalls shall conform to all City and ADA requirements;

4) The alley at 18th Street and 19th Street must be reconstructed to close off the alley with standard City sidewalk, curb, and gutter should project P00-165 not be completed;

5) The easterly 50 feet shall be retained as a Public Utility Easement (PUE);

6) Existing SMUD electrical facilities shall be relocated. New rights of way shall be granted to SMUD for the relocated electrical facilities;

7) An agreement satisfactory to Comcast (AT&T Broadband) shall be entered into for relocations of their facilities;

8) The existing water main shall be abandoned and relocated with a new 12 inch water main to the satisfaction of the Department of Utilities.

5. After all fees have been paid, the City Clerk shall cause a certified copy of this resolution, attested by the City Clerk under seal, to be recorded. The abandonment shall be effective when the City Clerk records this resolution with the County Recorder.

6. All conditions specified in paragraph 4 of this resolution must be completed within two

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Exhibit D

years of the date of this resolution. If all the conditions are not completed within the two years specified, this resolution approving the abandonment shall become void, unless the City Council grants a time extension.

HEATHER BARGO

MAYOR

ATTEST:

VALERIE BURROWES

CITY CLERK

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October 2, 2001
000188.01



MORTON & PITALO, INC.
Civil Engineering Planning Surveying
1700 Indiana Road, Suite 200
Sacramento, CA 95815
916/927-2400
Fax 916/557-0120

EXHIBIT "A"

LEGAL DESCRIPTION

AREAS TO BE ABANDONED

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

AREA 1

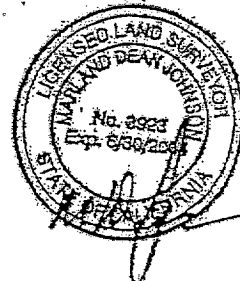
The Easterly 27 feet of 18th Street lying Southerly of the Northerly line of R Street and Northerly of the Northerly line of S Street

AREA 2

All of R Street lying Easterly of the Easterly line of 18th Street and Westerly of the Westerly line of 19th Street.

AREA 3

All of the alley between R Street and S Street lying Easterly of the Easterly line of 18th Street and Westerly of the Westerly line of 19th Street.



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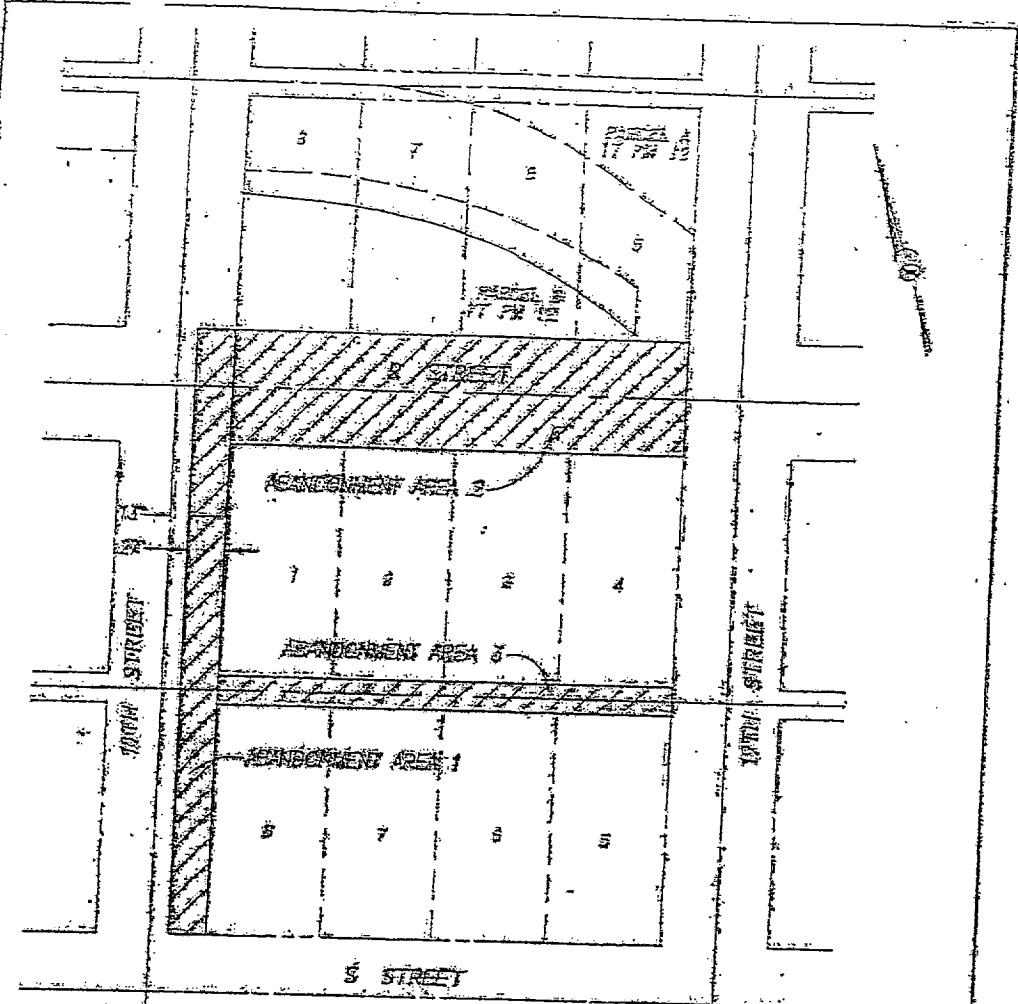
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EXHIBIT "E" LOCATION OF ABANDONMENT AREAS, MAP NO. 00-04-04, OF 24, 07/24/04, R.B.S.W.M.



Michael D. Johnson
 MICHAEL D. JOHNSON
 P.E. 47212

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mp MORTON & PIALO, INC.
 CIVIL ENGINEERING • PLANNING • SURVEYING
 223 GRUITS ROAD, SUITE 200, SACRAMENTO, CA 95834
 PHONE: 916-487-2100 • FAX: 916-487-0222

DRAWN: _____	RS	JOB NO: 060186.01
CHECKED: _____	RS	DATE: OCT., 2001
SCALE: 1"=100'		SHEET: 1 of 1

EXHIBIT "E"
ABANDONMENT AREAS
 PORTION OF BLOCK
 R.S. 18TH, & 19TH STREETS
 CITY OF SACRAMENTO, CALIFORNIA

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