

**APPROVED**  
BY THE CITY COUNCIL

**DEC 16 1997**



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OFFICE OF THE  
CITY CLERK

**CITY OF SACRAMENTO**  
CALIFORNIA

DEPARTMENT OF  
PUBLIC WORKS

TECHNICAL SERVICES DIVISION

DEVELOPMENT  
SERVICES  
1231 I STREET, STE 200  
SACRAMENTO, CA  
95814-2988  
PH 916-264-7995  
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November 25, 1997

City Council  
Sacramento, California

Honorable Members In Session:

**SUBJECT:** ABANDONMENT OF A PORTION OF TWO ALLEYS IN COUNCIL DISTRICT 2;  
SUMMARY ABANDONMENT PROCEEDING NO. AP97-09 & AP97-10

**LOCATION/COUNCIL DISTRICT:**

A portion of the following two alleys located in Council District #2

- Between Forrest Street and Fairfield Street, from Arden Way to cross alley south of Calvados Avenue (AP97-09)
- Between Jessie Avenue and Youngs Avenue from Marysville Boulevard to Huron Street (AP97-10)

**RECOMMENDATION:**

This report recommends the City Council open the public hearing to consider the abandonment of the above-listed alleys (See Exhibits A-1 to A-2); take public testimony, and adopt the attached resolutions that make certain findings of fact required for the abandonment.

**CONTACT PERSON:**

Ron Perry, Engineering Technician III, 264-8298  
Theresa Arnold, Associate Engineer, 264-5514

**FOR COUNCIL MEETING OF:**

December 16, 1997

City Council  
Summary Abandonment AP97-09 & AP97-10  
November 25, 1997

**SUMMARY:**

Neighborhood groups in Council District 2 have requested that the above-described alleys be abandoned. These public alleys will permanently be abandoned and the ownership of the right-of-way will revert back to the adjacent property owners. There is no known opposition to these abandonments. See Exhibit A for time schedule.

**COMMITTEE/COMMISSION ACTION:**

None required.

**BACKGROUND INFORMATION:**

The Neighborhood Services Department has received problem reports from various residents adjacent to the above-mentioned two (2) alleys. All adjacent property owners were mailed letters informing them of the possible abandonment of these alleys. City departments as well as other utilities have reviewed these abandonments and have no objection.

Approval of these abandonments will be the first step in assisting the adjacent residents to stop drug, gang and other criminal activity from taking place in the alleys behind their homes. In order for this to become effective, the property owners will be responsible for extending their fences to close off the existing alley way.

**FINANCIAL CONSIDERATIONS:**

Staff time required to process the abandonment application is being charged to the General Fund. Any monies expended in these alleys for fences, gates, etc. will be the responsibility of the adjacent property owners.

**ENVIRONMENTAL CONSIDERATIONS:**

The Planning Services Division, Environmental Section, has reviewed the project and has determined that this project is exempt from the California Environmental Quality Act (CEQA) under section 15305 of the CEQA Guidelines (Minor Alterations in Land Use Limitations).

**POLICY CONSIDERATIONS:**

Section 8300 et. seq. of the State of California Streets and Highways Code allows for abandonment of public alleys that are no longer needed for public use. This abandonment

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is classified as a Summary Abandonment because the alley for a period of five consecutive years has not been used as a public throughfare. The local governing body is the approving authority. City policy, as stated in Resolution No. 96-176, which was approved by the City Council on May 7, 1996, provides for abandonment of local streets so long as there is benefit to the community, access to other properties is not inhibited, and there is support by the majority of property owners. This abandonment is consistent with these policies.

**MBE/WBE:**

None, since no goods or services are being procured with this action.

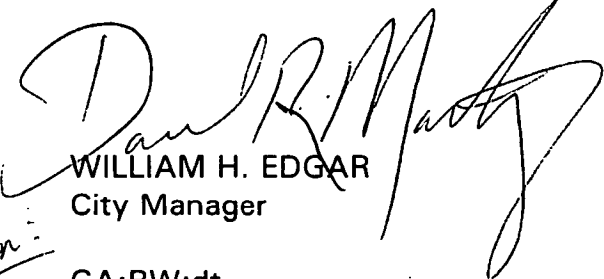
Respectfully submitted,



Gary Alm  
Manager, Development Services

RECOMMENDATION APPROVED:

Approved:

*for:*  
  
WILLIAM H. EDGAR  
City Manager



Michael Kashiwagi  
Director of Public Works

GA:RW:dt  
AP97-09.ccl  
11.2597.1

Attachment

EXHIBIT A

**SUMMARY ABANDONMENT TIME SCHEDULE  
FOR THE FOLLOWING ALLEY'S**

**BETWEEN FORREST ST & FAIRFIELD ST, FROM ARDEN WAY TO CROSS ALLEY SOUTH OF CALVADOS AV  
AND BETWEEN JESSIE AV & YOUNGS AV, FROM MARYSVILLE BLVD TO HURON ST**

DATE	ACTION
31-Oct-97	Receive Package Neighborhood Services
26-Nov	Receive Letters from Planning & Environmental
16-Dec-97	<b>CITY COUNCIL - HEARING</b> Resolution of Abandonment
19-Dec	Record Resolution

**APPROVED**  
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OFFICE OF THE  
CITY CLERK

**RESOLUTION NO. 97-683**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

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

**RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING THE  
SUMMARY ABANDONMENT OF THE ALLEY BETWEEN FORREST  
STREET AND FAIRFIELD STREET, FROM ARDEN WAY TO THE CROSS  
ALLEY SOUTH OF CALVADOS AVENUE**

**SUMMARY ABANDONMENT PROCEEDING NO. AP97-09**

1. WHEREAS, the City received letters from owners of property within the City of Sacramento requesting the City Council to consider a summary abandonment of subject property:
2. 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 8300, et. seq.

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

1. The alley located in the City of Sacramento specifically described below is hereby ordered abandoned;

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

All that portion of alley 20 feet in width bounded by Forrest Street (formerly known as Bertram Street), Calvados Avenue, Fairfield Street (formerly 6th Street), Arden Way (formerly Bassettlaw Avenue, as shown on the plat of North Sacramento Subdivision No. #1, recorded on 12.05.1910 in Book 11 of Maps, Map No. 26, Official Records of Sacramento County, described as follows:

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

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

Beginning at the northwest corner of Lot 4, in Block 18 of the said plat map, thence southerly 154.6 feet along the westerly lines of Lots 4, 5, and 6 to southwest corner of Lot 6, also being the northerly line of Arden Way (formerly Bassettlaw Avenue), thence westerly 20 feet along the northerly line of Arden Way (formerly Bassettlaw Avenue) to southeast corner of Lot 7, thence northerly 154.6 feet along the easterly lines of Lots 7, 8 and 9 to northeast corner of Lot 9, thence easterly 20 feet to the point of beginning, containing 0.07 acres more or less.

RESERVING HOWEVER, a public service easement (as defined in Section 8306 and 8340 the California Street and Highways Code) the full width of the existing alley and right-of-way 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 alley being abandoned.

A map or plan of the proposed abandonment is attached as Exhibit A-1, and is on file with the Department of Public Works, Technical Services, located at 1231 I Street, Room 300.

2. The City Council finds that the alley may be summarily abandoned in accordance with Section 8333 (a) of the Streets and Highways Code which states "The legislative body of local agency may summarily vacate a public service easement... that has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation."

The alley proposed to be abandoned is of no foreseeable use to the City.

3. The City Council hereby finds that the closure of the alley identified in paragraph 1 above does satisfy the City Council's Review Guidelines for Street Closures, adopted May 7, 1996, by Resolution No. 96-176.
4. The City Clerk shall cause a certified copy of this resolution, attested by the City under seal, to be recorded. The abandonment shall be effective when the City Clerk records this resolution with the County Recorder.

\_\_\_\_\_  
MAYOR

ATTEST:

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

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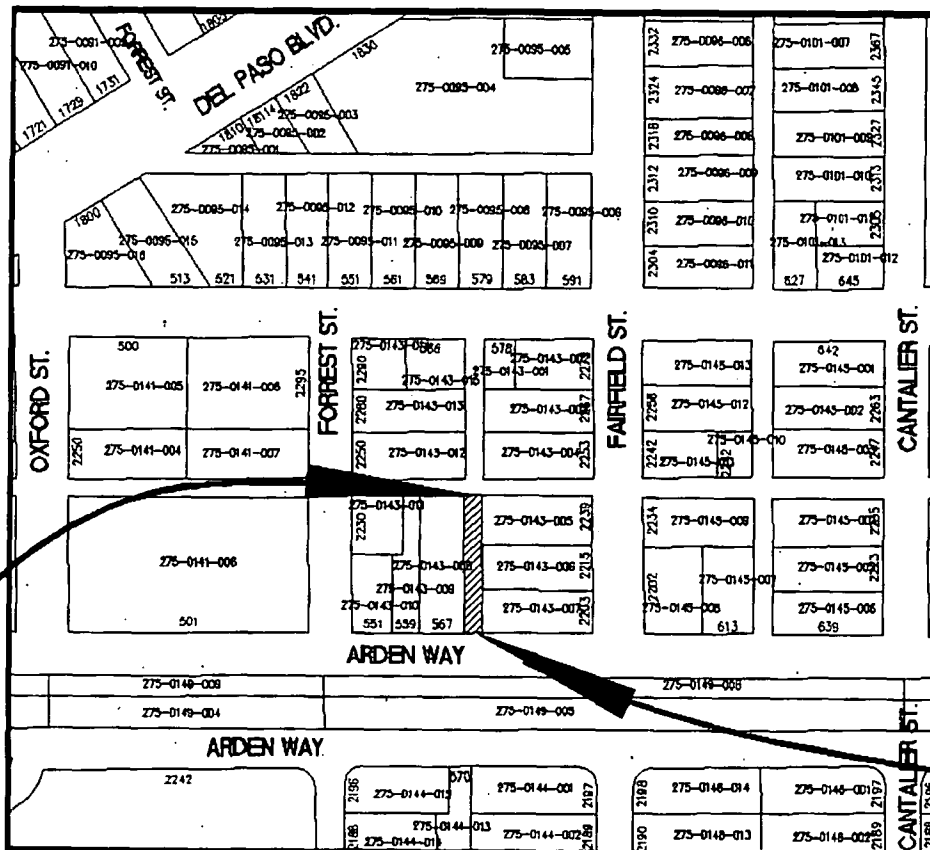
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RESOLUTION NO.: \_\_\_\_\_

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

# SUBJECT ALLEY (AP97-09)



PORTION OF ALLEY  
BEING ABANDONED

**APPROVED**  
BY THE CITY COUNCIL

**DEC 16 1997**

OFFICE OF THE  
CITY CLERK

## **RESOLUTION NO. 97-684**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

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

**RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING THE SUMMARY ABANDONMENT OF THE ALLEY BETWEEN JESSIE AVENUE AND YOUNGS AVENUE FROM MARYSVILLE BOULEVARD TO HURON STREET**

### **SUMMARY ABANDONMENT PROCEEDING NO. AP97-10**

1. WHEREAS, the City received letters from owners of property within the City of Sacramento requesting the City Council to consider a summary abandonment of subject property:
2. 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 8300, et. seq.

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

1. The alley located in the City of Sacramento specifically described below is hereby ordered abandoned;

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

All that portion of alley 20 feet in width bounded by Huron Street (formerly Date Street), Youngs Avenue, Marysville Boulevard (formerly Marysville Road), Jessie Avenue (formerly Knight Avenue). As shown on the plat of Young's Height, recorded on 4.01.1912 in Book 13 of Maps, Map No. 14, Official Records of Sacramento County, described as follows:

Beginning at the northeast corner of Lot 17 and the westerly line of Marysville Boulevard (formerly Marysville Road), in Block 3 of the said plat map, thence

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



westerly 371.17 feet along the northerly lines of Lots 17 to 24, to the northwest corner of Lot 24 and easterly line of Huron Street (formerly Date Street), thence northerly 20 feet to southwest corner of Lot 1, thence easterly 361.2 feet along the southerly lines of Lots 1 to 4 and Lot 7 to the westerly line of Marysville Boulevard (formerly Marysville Road), thence 20 feet southerly along the westerly line of said Marysville Boulevard to the point of beginning, containing 0.25 acres more or less.

RESERVING HOWEVER, a public service easement (as defined in Section 8306 and 8340 of the California Street and Highways Code) the full width of the existing alley and right-of-way 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 alley being abandoned.

A map or plan of the proposed abandonment is attached as Exhibit A-2, and is on file with the Department of Public Works, Technical Services, located at 1231 I Street, Room 300.

2. The City Council finds that the alley may be summarily abandoned in accordance with Section 8333 (a) of the Streets and Highways Code which states "The legislative body of local agency may summarily vacate a public service easement... that has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation."

The alley proposed to be abandoned is of no foreseeable use to the City.

3. The City Council hereby finds that the closure of the alley identified in paragraph 1 above does satisfy the City Council's Review Guidelines for Street Closures, adopted May 7, 1996, by Resolution No. 96-176.
4. The City Clerk shall cause a certified copy of this resolution, attested by the City under seal, to be recorded. The abandonment shall be effective when the City Clerk records this resolution with the County Recorder.

\_\_\_\_\_  
MAYOR

ATTEST:

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

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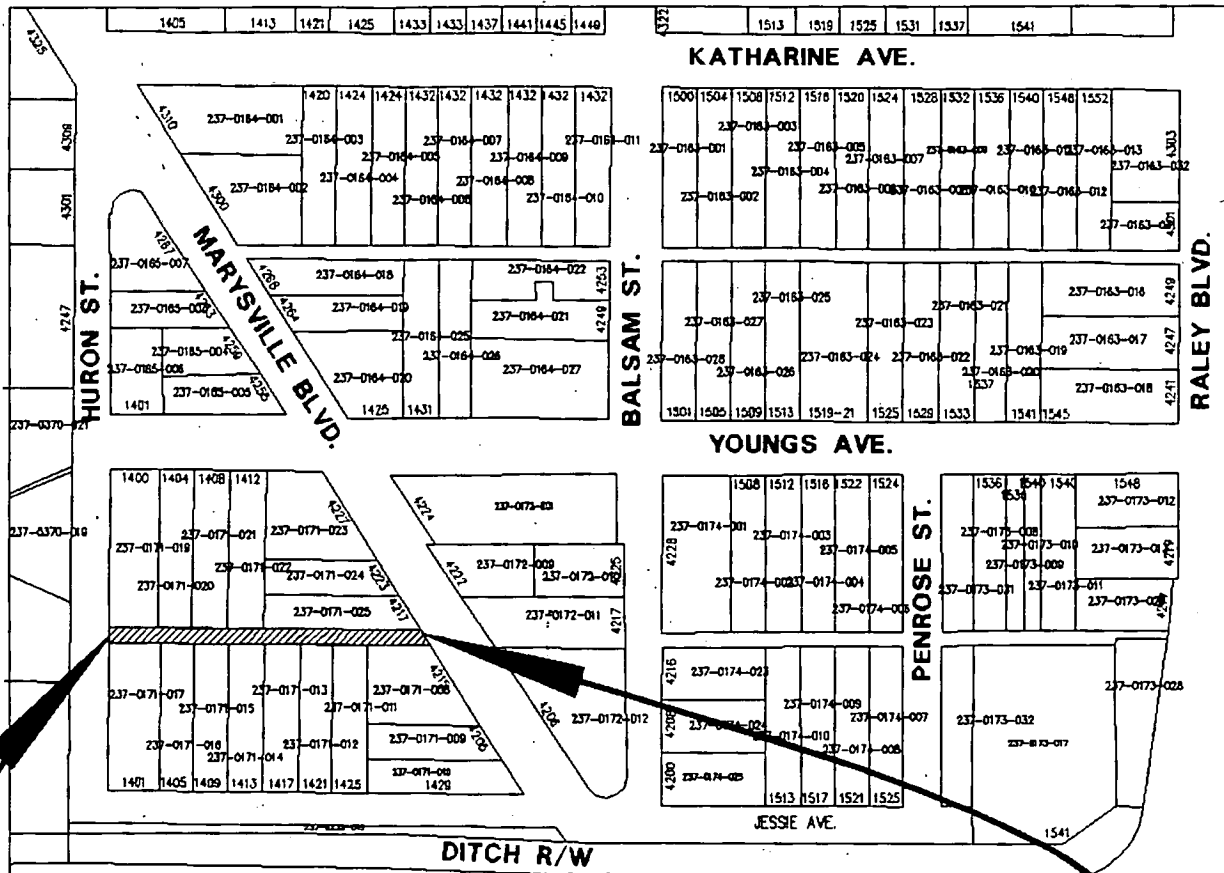
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\_\_\_\_\_  
FOR CITY CLERK USE ONLY

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

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

# SUBJECT ALLEY (AP97-10)



PORTION OF ALLEY  
BEING ABANDONED

