

RESOLUTION NO. 2008-804

Adopted by the Sacramento City Council

December 9, 2008

THE SUMMARY VACATION OF A PORTION OF THE ALLEYWAY BOUNDED BETWEEN 7TH AVENUE, 9TH AVENUE, 35TH AND 37TH STREETS, WITHIN COUNCIL DISTRICT 5 VACATION PROCEEDING NO. VAC 08-015

BACKGROUND

- A. Shiloh Baptist Church has requested the vacation of a portion the public alleyway bounded by 7th Avenue, 9th Avenue, 35th and 37th Streets.
- 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.

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

- Section 1. The portion of the public alleyway bounded by 7th Avenue, 9th Avenue, 35th and 37th Streets within Council District 5, more specifically described in Exhibit A and Exhibit B of this resolution is hereby ordered vacated.
- Section 2. Pursuant to Streets and Highways Code Section 8306 an 8340, all existing public service easements located within and along the subject alley to be vacated, more specifically described in Exhibit A and B of this resolution, will be reserved 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 subject property to be vacated.
- Section 3. The vacation of the public alleyway within Council District 5, more 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 public alleyways, more specifically described in Exhibit A and Exhibit B are 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.

Section 5. The City Clerk shall cause a certified copy of this Resolution, attested by the City Clerk under seal, to be recorded after all fees have been satisfied. 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

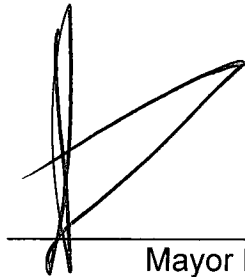
Adopted by the City of Sacramento City Council on December 9, 2008 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: Councilmember McCarty.



Mayor Kevin Johnson

Attest:


Shirley Concolino, City Clerk

EXHIBIT A

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SACRAMENTO, CITY OF SACRAMENTO, AND IS DESCRIBED AS FOLLOWS:

THE ALLEYWAY AS DEDICATED ON THE "PLAT OF OAK TERRACE" FILED FOR RECORD ON JUNE 15, 1904, IN BOOK 5 OF MAPS, PAGE 46 LOCATED ADJACENT TO THE SOUTH LINES OF LOTS 2656, 2657, 2658, 2659, 2660 AND 2661 OF SAID PLAT, THE NORTH LINE OF LOT 2682, AND THE NORTH LINE OF THE WEST 95.50 FEET OF LOT 2683 OF SAID PLAT.

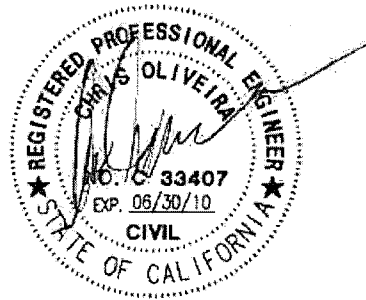


EXHIBIT B

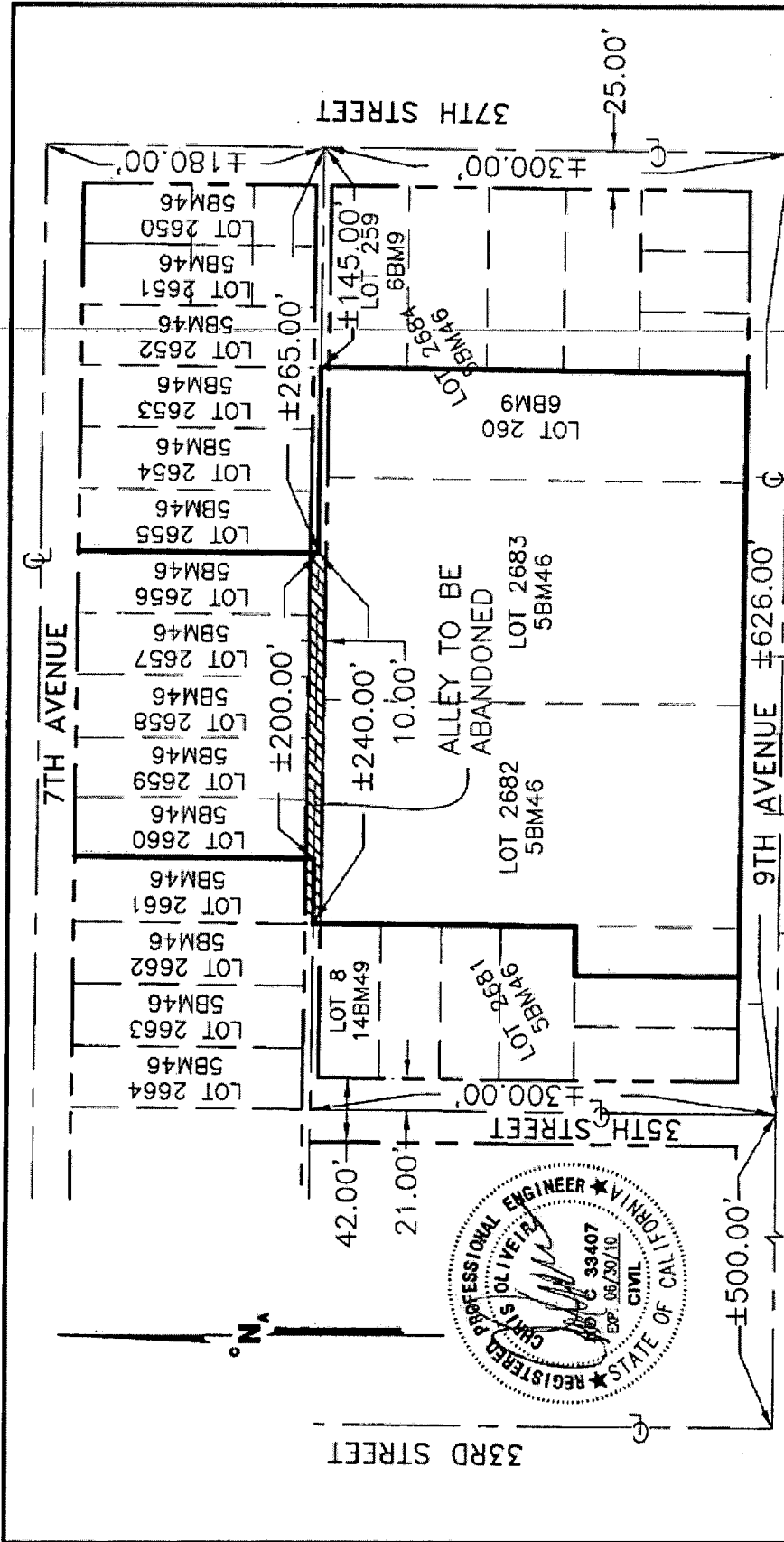


EXHIBIT B
 ALLEY VACATION/ABANDONMENT
 35TH ST, 37TH ST, 9TH AVE AND 7TH AVE
 CITY OF SACRAMENTO, CALIFORNIA

DATE: 10/16/08
 SHEET 1 OF 1
 SCALE: 1" = 100'

CNA ENGINEERING INC.
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