



APPROVED
BY THE CITY COUNCIL

DEC 5 1989

OFFICE OF THE
CITY CLERK

13

**DEPARTMENT OF
PUBLIC WORKS**

DEVELOPMENT SERVICES
DIVISION

TERENCE W. MOORE
DIVISION MANAGER

CITY OF SACRAMENTO
CALIFORNIA

927 TENTH STREET
ROOM 100
SACRAMENTO, CA
95814-2795

916-449-8210

December 5, 1989

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Abandonment of a Restrictive Easement consisting of an Exclusive Right of Vehicular Ingress/Egress on the West Side of Sully Street, South of Alii Way - Summary AP No. 89-21

SUMMARY

The Department of Public Works requests that the City Council adopt a resolution abandoning a restrictive easement consisting of an exclusive right of vehicular ingress/egress on the west side of Sully Street, south of Alii Way.

BACKGROUND

The developer of the Pinedale Estates Subdivision, Nishimoto Development Inc., granted the City of Sacramento an exclusive right of vehicular ingress/egress, establishing a no ingress/egress rights line on the west side of Sully Street starting on the southwest corner of Sully Street and Alii Way, and proceeding south along the easterly property lines of Lots 12A and 12B, approximately 80 feet.

Conditions have changed where this is no longer needed. City departments, particularly the City's Traffic Engineering staff have reviewed the proposed abandonment and have no objections.

The proposed abandonment, exempt from the City's "Review Guidelines for Street Closures," was reviewed by staff and found to be in conformance with State law. Approval of the request is recommended. The Environmental Coordinator filed a Notice of Exemption for this project. Staff and the utility companies have reviewed the proposed abandonment and have no objections.

FINANCIAL DATA

A fee of \$250.00 was charged to the applicant. There is no expense to the City.

POLICY CONSIDERATIONS

None.

MBE/WBE EFFORTS

None.

VOTE OF COMMISSION

The proposed abandonment is exempt from review under Section 65402 of the California Government Code.

RECOMMENDATION

It is recommended that the attached resolution be adopted, which is the final order in the proceedings for the abandonment.

Respectfully submitted,

Robert R. Jones
for TERENCE W. MOORE
Supervising Engineer

Recommendation Approved:

Walter J. Slipe

WALTER J. SLIPE
City Manager

Approved:

Melvin H. Johnson
MELVIN H. JOHNSON
Director of Public Works

CONTACT PERSON

Steve Anderson, Administrative Trainee
449-8213

December 5, 1989
District No. 2

SA:yg
DS1-11AB.C
11.1789.1

Attachment

APPROVED
BY THE CITY COUNCIL

DEC 5 1989

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 89-913

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

SUMMARY VACATION AND ABANDONMENT OF A
RESTRICTIVE EASEMENT CONSISTING OF AN
EXCLUSIVE RIGHT OF VEHICULAR
INGRESS/EGRESS ON THE WEST SIDE OF SULLY
STREET, SOUTH OF ALII WAY

ABANDONMENT PROCEEDING NO. AP89-21

WHEREAS, in accordance with Section 8300, et. seq., of the Streets and Highways Code of the State of California, the City Council hereby vacates and abandons a portion of the following described restrictive easement:

An exclusive right of vehicular ingress and/or egress designated "no ingress or egress rights line" on that certain real property situated in the City of Sacramento, County of Sacramento, State of California, more particularly described as follows:

The easterly property lines of Lots 12A and 12B is as shown on the "Plat of Pinedale Estates", recorded in Book 184 of Maps, Map No. 11, records of said county.

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

That the City Council does hereby find and declare that all of the facts, as set forth in this resolution, are true and correct; that by reason of the findings and premises aforesaid, said easements, as above set forth and described, is hereby declared abandoned and vacated.

IT IS FURTHER ORDERED that a copy of this resolution, attested by the Clerk of this Council, be recorded in the office of the Recorder of the County of Sacramento.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO, THIS 5TH DAY OF DECEMBER, 1989.

MAYOR

ATTEST:

CITY CLERK

DS1-11AB.C
11.1689

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____