

RESOLUTION NO. 2007-753

Adopted by the Sacramento City Council

October 16, 2007

THE SUMMARY VACATION OF THE PUBLIC ACCESS ROAD EAST OF PELL DRIVE WITHIN COUNCIL DISTRICT 2 - NO. VP07-015

BACKGROUND

- A. Representing the National Business Center for Mr. Dan Waldman, the owner of the property with Assessor's Parcel No. (APN) 237-0022-071, Psomas Engineering has requested the vacation of the public access road east of Pell Drive.
- 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. Subject to the reservation below in Section 2, the public access road located east of Pell Drive within Council District 2, 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 and 8340, the City reserves a twenty foot (20) public service easement measured from the most northern point of the area to be abandoned and terminating twenty (20) feet south from that point in the public access road more specifically described in Exhibit A and B of this resolution 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 access road located east of Pell Drive within Council District 2, 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 access road located east of Pell Drive, more specifically described in Exhibit A and Exhibit B is 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. 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 October 16, 2007 by the following vote:

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

Noes: None.

Abstain: None.

Absent: Councilmember McCarty.



Mayor Heather Fargo

Attest:



Shirley Concolino, City Clerk

EXHIBIT "A"
LEGAL DESCRIPTION

A strip of land situated in the City and County of Sacramento, State of California, and being a portion of the lands described in that certain instrument recorded in Book 750307 at Page 251 of Official Records, Sacramento County and referenced therein as "access road", said strip of land being further described as follows:

BEGINNING at the southeasterly corner of Parcel B as said parcel is shown on that certain map filed in Book 158 of Parcel Maps at Page 15, Sacramento County Records; thence along the easterly lines of Parcels A and B of last said map and the easterly lines of Parcels 1 and 2 as said parcels are shown on the map filed in Book 92 of Parcel Maps at Page 6, Sacramento County Records, the following seven (7) courses: 1) North $10^{\circ}17'30''$ West 72.16 feet to the beginning of a curve, concave westerly, having a radius of 1372.57 feet; 2) northerly along said curve, through a central angle of $09^{\circ}33'40''$, an arc distance of 229.05 feet (said curve being subtended by a chord which bears North $15^{\circ}04'20''$ West 228.78 feet); 3) North $19^{\circ}51'10''$ West 240.00 feet to the beginning of a curve, concave easterly, having a radius of 725.00 feet; 4) northerly along said curve, through a central angle of $18^{\circ}54'40''$, an arc distance of 239.29 feet (said curve being subtended by a chord which bears North $10^{\circ}23'50''$ West 238.21 feet); 5) North $00^{\circ}56'30''$ West 130.00 feet to the beginning of a curve, concave southwesterly, having a radius of 40.00 feet; 6) northwesterly along said curve, through a central angle of $90^{\circ}00'05''$, an arc distance of 62.83 feet (said curve being subtended by a chord which bears North $45^{\circ}56'33''$ West 56.57 feet); and 7) North $00^{\circ}56'30''$ West 10.00 feet to a point on the easterly line of said Parcel 1; thence leaving last said line North $89^{\circ}03'30''$ East 90.00 feet; thence South $00^{\circ}56'30''$ East 180.00 feet to the beginning of a curve, concave easterly, having a radius of 675.00 feet; thence southerly along said curve, through a central angle of $18^{\circ}54'43''$, an arc distance of 222.80 feet (said curve being subtended by a chord which bears South $10^{\circ}23'50''$ East 221.79 feet); thence South $19^{\circ}51'10''$ East 240.00 feet to the beginning of a curve, concave westerly, having a radius of 1422.57 feet; thence southerly along said curve, through a central angle of $09^{\circ}33'40''$, an arc distance of

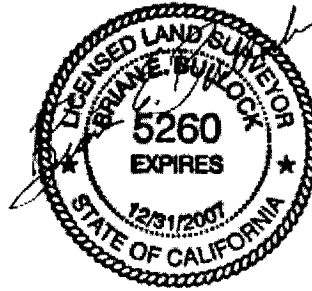
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237.39 feet (said curve being subtended by a chord which bears South 15°04'20" East 237.11 feet); thence South 10°17'30" East 72.16 feet; thence South 79°42'30" West 50.00 feet to the point of beginning, containing 48.563 square feet (1.115 acres) more or less.

The basis of bearings for the above description is as shown on that certain map filed in Book 92 of Maps at Page 6, Sacramento County Records.

The above described land is shown on Exhibit "B" attached hereto and made a part hereof.

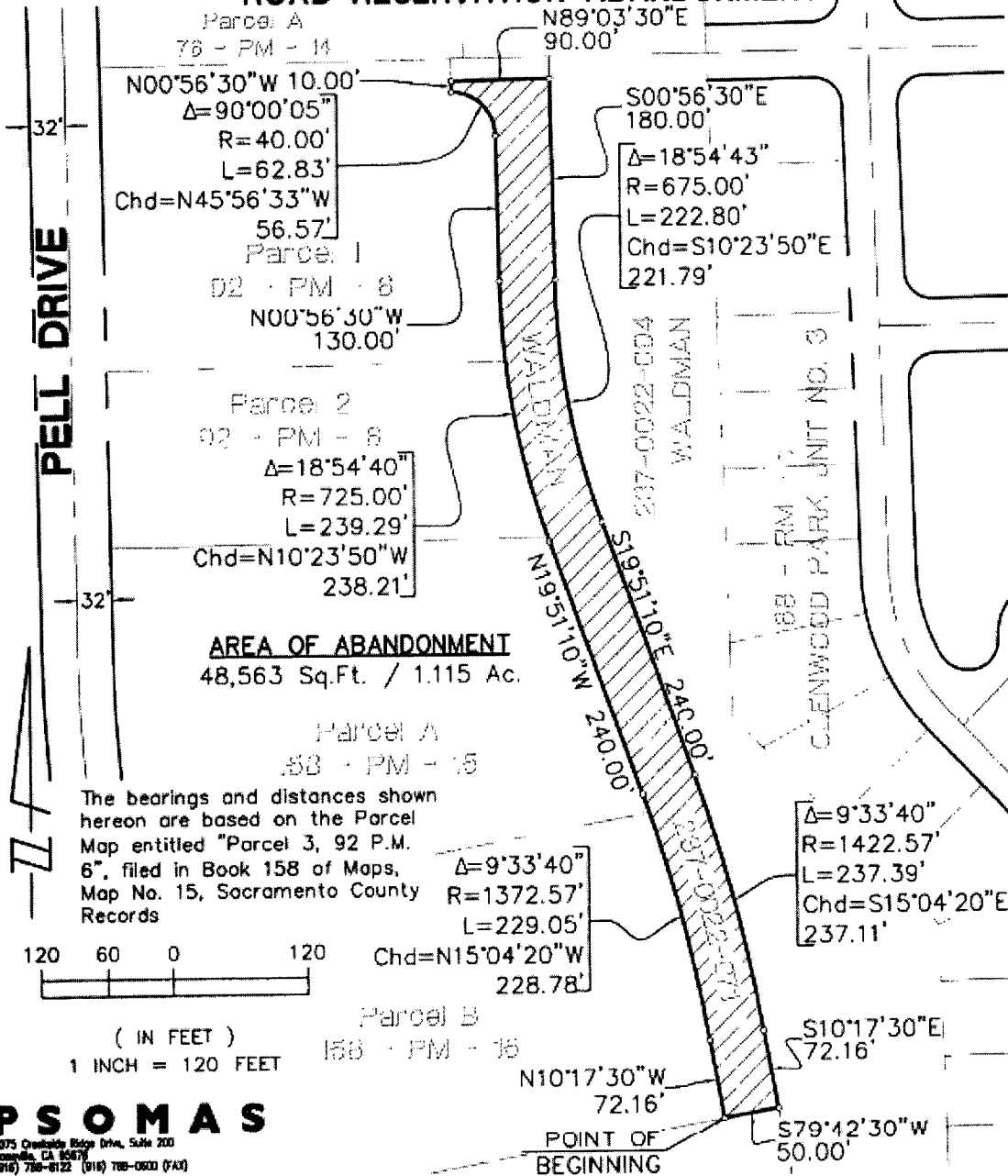
End of Description



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EXHIBIT 'B'

ROAD RESERVATION ABANDONMENT



PSOMAS
1075 Creekside Ridge Drive, Suite 200
Roseville, CA 95678
(916) 786-8122 (916) 786-0800 (FAX)

May 21, 2007 DWG Name: P:\VENMATH\1102\ENR\1-E-REV. 21-07.dwg (2007-05-21) - Updated By: cshwartz

FOR CITY CLERK USE ONLY

RESOLUTION NO. : _____

DATE ADOPTED : _____