

ORDINANCE NO. **3595**- FOURTH SERIES

AN ORDINANCE AMENDING ORDINANCE NO. 3583,
FOURTH SERIES, RELATING TO THE ABANDONMENT
AND VACATION OF A CERTAIN STREET AND ALLEY
IN THE CITY OF SACRAMENTO

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

SECTION 1.

The City Council of the City of Sacramento hereby finds and declares as follows:

Section 1 of Ordinance No. 3583, Fourth Series, relating to the abandonment of a certain street and alley within the City of Sacramento contained a technical error. Said technical error occurs in the second paragraph which reads as follows:

"Said abandonment and vacating is declared after due proceedings were taken therefore according to law and upon evidence submitted to the City Council indicating that said street and alley herein described have never been opened or approved for public use. Abandoning said street and alley will not interfere with the circulation of traffic in this area, therefore, the City Council finds said street and alley unnecessary for present or prospective public street purposes."

The error contained therein is that the phrase in the first sentence "said street and alley herein described have never been opened or improved for public use" is not factually correct. No evidence was submitted to the City Council to the effect that said street and alley has never been opened or improved for public use.

The evidence submitted to the City Council indicated that said street and alley are not necessary for present or prospective public street purposes.

Therefore, said Ordinance No. 3583, Fourth Series, shall be amended to reflect the true intention of the City Council in enacting said ordinance pursuant to section 8323 of the Streets and Highways Code.

SECTION 2.

Section 1 of Ordinance No. 3583, Fourth Series, is hereby amended to read as follows:

"All that certain real property situated and being in the City of Sacramento, State of California, described as follows:

All that portion of 22nd Street from the Southerly line of Q Street to the Northerly line of R Street and the Alley in the Block bounded by Q and R and 22nd and 23rd Streets, in the City of Sacramento, according to the official plat or map thereof; RESERVING HOWEVER, a fifteen (15) foot wide easement in said Street lying ten (10) feet Westerly and five (5) feet Easterly of the existing center line of 22nd Street from the South line of Q Street to five (5) feet Southerly of the center line of the Alley lying between Q and R Streets, and a ten (10) foot wide easement in said Alley lying five (5) feet on either side of the center line of said Alley. Said easements are for the right of entry to repair, maintain and construct sewer and water facilities now in place in said Street and Alley, or which from time to time may be placed therein. All proceedings in connection with the aforesaid abandonment are to be taken subject to such reservations,

is hereby vacated.

Said abandonment and vacating is declared after due proceedings were taken therefor according to law and upon evidence submitted to the City Council indicating that abandoning said street and alley will not interfere with the circulation of traffic in this area, nor is use of said street and alley required for present or prospective activities in this area. Therefore, the City Council finds that said street and alley are unnecessary for present or prospective public street purposes."

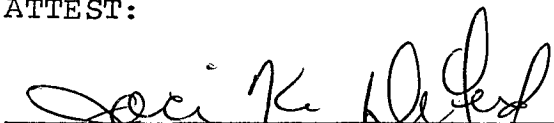
SECTION 3.

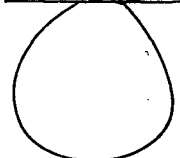
The City Clerk shall publish this ordinance once within ten days after passage in the official newspaper of said City of Sacramento.

PASSED:
EFFECTIVE:


MAYOR

ATTEST:


CITY CLERK



NOV. 20 1975
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