

RESOLUTION NO. 2003-258

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAY - 8 2003

**RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING THE SUMMARY
ABANDONMENT OF EXCESS ROAD RIGHT OF WAY IN A PORTION OF 2ND AVENUE,
BETWEEN STOCKTON BOULEVARD AND 48TH STREET, LOCATED WITHIN COUNCIL
DISTRICT 5**

ABANDONMENT PROCEEDING NO. AP02-05

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

- A. WHEREAS, the City received a request from the Abrego Partners to abandon the public street within the City of Sacramento requesting the City Council to consider abandonment of the subject public street easement; and
- B. 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.; and
- C. WHEREAS, the Neighborhood Services and Planning and Building Departments reviewed the proposed abandonment pursuant to Government Code Section 65402, and concluded that said abandonment does not require a 65402a Review. This determination is made pursuant to Sacramento City Code Section 2.112.070(B)(3).

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

- 1. A portion of 2nd Avenue, between Stockton Boulevard and 48th Street, specifically described in Exhibit "A" and shown in Exhibit "B" attached hereto, is hereby ordered abandoned subject to the conditions specified in this resolution.

Reserving however, a public service easement (as defined in Section 8306 and 8340 of the California Streets and Highways Code) and 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 that portion of 2nd Avenue to be abandoned, specifically described in Exhibit "A" and Shown in Exhibit "B" attached hereto.

A map or plan of the proposed abandonment is attached as Exhibit "B" and is on file with the

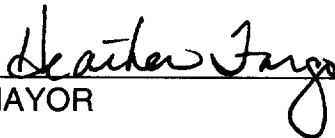
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Department of Public Works, Development Services Division, located at 1231 I Street, Room 200.

2. The City Council finds that the above described public street is not necessary for present or prospective public use in that:
 - a. It is not necessary for through traffic circulation; The City Engineer has reviewed said abandonment and found that it will not interfere with the traffic flow in the area or affect the aesthetics of the neighborhood; and
 - b. A parcel adjacent to the abandoned portion of the public street described above has other access and said abandonment will not create any land-locked parcels; and
 - c. The street to be abandoned is not necessary or useful as a non-motorized transportation facility as defined in the Streets and Highways Code.
3. The City Council hereby finds that said abandonment has been submitted to and reported on by the Neighborhoods Services and the Planning and Building Departments as to conformity with the City General Plan. The Council, pursuant to Streets and Highways Code Section 8300 ET. Seq., has considered this abandonment in connection with the City General and Community Plans and finds the abandonment does not require a 65402a Review, this determination is made pursuant to Sacramento City Code Section 2.112.070(B)(3).
4. The City Clerk shall cause a certified copy of this resolution, attested by the City Clerk 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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EXHIBIT "A"

LEGAL DESCRIPTION

Abandonment of a Portion of 2nd Avenue

All that certain real property situate in the City of Sacramento, County of Sacramento, State of California being a portion of the Northeast Quarter of Section 17, Township 8 North, Range 5 East MDB&M and more particularly describe as follows:

Commencing at the northwest corner of Lot 169 as shown on the Plat of Wright & Kimbrough Tract No. 9 recorded in Book 5 of Maps, Map No. 34 Official Records Sacramento County; thence from said point of commencement along the northerly line of said Lot 169 North 89°49'58" East, a distance of 60.72 feet more or less to a point on the easterly line of Stockton Boulevard also being a point on the southerly line of the 40.00 feet wide "Road" as shown on said plat and the true point of beginning; thence from said point of beginning continuing along the northerly line of said Lot 169 and its easterly prolongation North 89°49'58" East, a distance of 539.48 feet more or less to a point on the easterly line of said Lot 169; thence leaving said easterly prolongation along the easterly line of said Lot 169, also being the westerly line of that certain Parcel Map recorded in Book 58 of Parcel Maps at Page 20 Official Record of said County, South 00°03'20" East, a distance of 24.00 feet to the southwest corner of that certain Irrevocable Offer of Dedication (IOD) recorded in Book 7801-04 at Page 765 Official Records of said County; thence leaving said easterly line along the southerly line of said IOD North 89°49'58" East, a distance of 31.28 feet to a point on the southerly right of way as described in deed recorded in Book 7607-06 at Page 708 Official Records of said County; thence along said right of way being a curve of radius 40.00 feet, concave to the northwest, having a chord which bears North 89°49'58" East through a central angle of 106°15'37" an arc length of 74.18 feet to a point on the southerly line of said IOD; thence leaving said right of way along said IOD North 89°49'58" East, a distance of 168.51 feet more or less to a point on the easterly line of said parcel map; thence leaving the southerly line of said IOD along said easterly line North 00°02'28" East, a distance of 24.00 feet to a point on the southerly line of 2nd Avenue, identified as "Road" on said Plat of Wright & Kimbrough Tract No. 9; thence leaving said easterly line along said southerly line North 89°49'58" East, a distance of 50.64 feet more or less to a point on the southerly back of walk of realigned 2nd Avenue; thence leaving said southerly line of said "Road" along said back of walk North 86°12'42" West, a distance of 71.31 feet to a tangent curve concave to the southwest having a radius of 500.00 feet; thence along said curve whose chord bears North 88°11'22" West, through a central angle of 03°57'20" an arc length of 34.52 feet; thence continuing along said back of walk South 89°49'58" West, a distance of 326.25 feet to a curve concave to the northeast, having a radius of 728.67 feet; thence along said curve whose chord bears North 88°40'36" West, through a central angle of 02°58'53", an arc length of 37.92 feet; thence continuing along said back of walk North 87°11'09" West, a distance of 71.47 feet to a curve concave to the northeast, having a radius of 306.00 feet; thence along said curve whose chord bears North 82°23'14" West, through a central angle of 09°35'53", an arc length of 51.26 feet to a point of compound curve to the northeast having a radius of 734.67 feet; thence along said compound curve whose chord bears North 75°27'16" East, through a central angle of 04°16'06" an arc length of 54.73 feet to a point of reverse curve; thence along said reverse curve concave to the southwest, having a radius of 665.33 feet and whose chord bears North 75°36'34" East, through a central angle of 04°34'41", an arc length of 53.16 feet more or

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less to a point on the northerly line of 2nd Avenue, formerly Magnolia Avenue, as shown on the Plat of Kerr Tract recorded in Book 11 of Maps, Map No. 2 Official Records Sacramento County; thence leaving said southerly back of walk along said northerly line of 2nd Avenue South 89°49'58" West 172.07 feet more or less to the southwest corner of Lot 2 of said Kerr Tract; thence leaving said northerly line of 2nd Avenue South 16°18'02" East, 46.84 feet more or less to the true point of beginning.

End of Legal Description

Prepared by JTS Engineering Consultants Inc. based on record data



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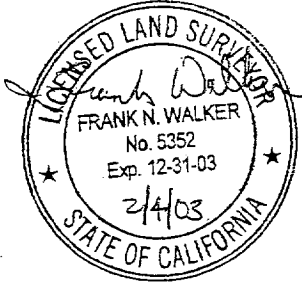
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EXHIBIT "B"

APN 011-0200-063

APN 011-0200-064



JTS Engineering Consultants, Inc. 02/07/2003 09:24:23 AM

APN 011-0193-025

NORTH R/W 2ND AVE.
BK 980428
OR PG 0690
ALSO BACK OF WALK

BACK OF WALK

APN 011-0193-013

APN 011-0193-015

R/W PER.
BK 7607-06
OR PG 708

S89°49'58"W
326.25'

N87°11'09"W
71.47'

S89°49'58"W
172.07'

S16°18'02"E
46.84'

L=53.16', L=54.73', L=51.76',
P=665.13', R=734.67', R=306.00'

2ND AVE.

L=37.92', R=728.67'

L=34.52', R=500.00'

P.O.C.
P.O.B.

N89°49'58"E
539.48'

500°03'20"E
24.00'

N00°02'28"E
24.00'

N89°49'58"E
50.64'

STOCKTON BLVD.

BACK OF WALK
AND LIMIT OF
ABANDONMENT

IOD PER
BK 7801-04
OR PG 765

N89°49'58"E
168.51'

N89°49'58"E
31.28'

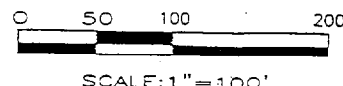
L=74.00', R=40.00'

APN 011-0193-003

APN 011-0193-004

APN 011-0200-057

AREA TO BE ABANDONED



SCALE: 1" = 100'

JTS ENGINEERING CONSULTANTS, INC.
1808 J STREET
SACRAMENTO CALIFORNIA 95814 (916) 441-5708

SCALE:	1"=100'
DATE:	04-24-2002
DRAWN:	CJK
CHECKED:	FNW
JOB No:	98038

ABANDONMENT EXHIBIT
PORTION OF 2ND AVENUE CALIFORNIA

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