



CITY OF SACRAMENTO

21  
A-80181

DEPARTMENT OF ENGINEERING  
915 I STREET SACRAMENTO, CALIFORNIA 95814  
CITY HALL ROOM 207 TELEPHONE (916) 449-5281

CITY MANAGER'S OFFICE  
**RECEIVED**  
MAR 4 1981

R. H. PARKER  
CITY ENGINEER  
J. F. VAROZZA  
ASSISTANT CITY ENGINEER

March 1, 1981

City Council  
Sacramento, California

Honorable Members in Session:

SUBJECT: Request for Waiver of Frontage Improvements along Green Street,  
North of Calvados Avenue

SUMMARY:

Excel Electrical Supply Company requests a two year waiver of the frontage improvement required by Article 9, Chapter 38, of the City Code for Green Street northerly of Calvados Avenue (Assessor's Parcel No. 277-082-09).

BACKGROUND:

Excel Electrical Supply Company purchased the subject property from AMA Partnership. As part of the purchase agreement, Excel agreed that they would not oppose the abandonment of Green Street and that the fee title to said street would revert to AMA upon said abandonment. The City has stipulated in the past that necessary right-of-way dedication and cul-de-sac improvements must be completed northerly of the subject property prior to the street being abandoned. At the present time, Green Street, adjacent to the subject property is a dirt road.

FINANCIAL:

If the appeal is denied, the City will enter into a reimbursement agreement for the construction of a portion of the pavement. The City contribution would be financed with Major Street Tax funds.

RECOMMENDATION:

It is recommended that Excel Electrical Supply Company enter into a recorded agreement with the City of Sacramento to install the subject improvements if the street has not been abandoned by May 1, 1983.

Recommendation Approved:

*Walter J. Slupe*  
Walter J. Slupe, City Manager

Respectfully submitted,

*R. H. Parker*  
R. H. PARKER  
City Engineer

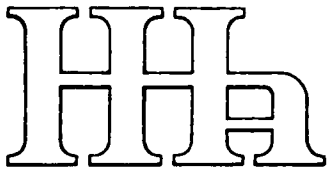
**APPROVED**  
BY THE CITY COUNCIL

MAR 10 1981

OFFICE OF THE  
CITY CLERK

March 10, 1981  
District No. 1

Dec Lewis



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CITY CLERKS OFFICE  
CITY OF SACRAMENTO

FEB 21 2 12 PM '81

Harold Hewitt Associates, Inc., Realtors



February 18, 1981

City Council  
City of Sacramento  
915 I Street  
Sacramento, Ca. 95814

Dear Honorable Council Members:

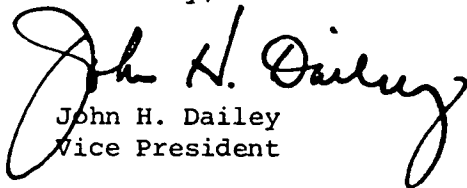
This appeal is on behalf of Excel Electrical Supply Company, Inc., the owner of parcel 277-082-09, a vacant parcel on Lexington Street in the City of Sacramento.

The owner has applied for a building permit and it appears the City will require the owner to improve the rear of the parcel with curb, gutter, sidewalk and street paving. The rear of the property is along "Green Street", a street which does not exist now and will be abandoned in the future.

The owners, Excel Electrical, are requesting a two year waiver of the code section and the issuance of a building permit with a variance to that effect.

I have attached the necessary supporting documents. Any assistance you can give Excel Electrical Supply Company in this matter will be greatly appreciated.

Sincerely,

  
John H. Dailey  
Vice President

JHD:lk

Enclosures

cc Excel Electrical Supply Co.  
Mr. Paul Opdyke



AGREEMENT TO ABANDON STREET

This Agreement entered into by and between AMA PARTNERSHIP, a California General Partnership (hereinafter referred to as "Sellers") and EXCEL ELECTRIC SUPPLY COMPANY, INC., a California corporation (hereinafter referred to as "Buyer").



WHEREAS, Sellers are selling to Buyer that certain real property located in the City of Sacramento, County of Sacramento, State of California and more particularly described as Lot 2, Block 57 of North Sacramento Subdivision No. 1, according to the official plat thereof, filed in Book 11 of Maps, Map No. 26, records of Sacramento County, excepting therefrom the North 112.5 feet thereof and further excepting therefrom the South 75 feet thereof; and

WHEREAS, as an inducement to Sellers to cause Sellers to enter into an agreement to sell the subject property Buyer has agreed that Green Street immediately to the west of the subject property shall be abandoned and the fee title to the ground beneath Green Street shall revert to Sellers;

NOW, THEREFORE, consideration of the above recitals and other good and valuable consideration, receipt of which is herewith acknowledged by both parties, the parties hereto agree as follows:

1. As an inducement to Sellers to sell the above-described real property to Buyer, Buyer herewith agrees that Green Street shall be abandoned and that all interest in the fee title to Green Street shall revert to Sellers. Buyer understands that Sellers are relying upon Buyer's representation and agreement to abandon Green Street in entering into the agreement to sell the subject property to Buyer and would not sell said property to Buyer were it not for Buyer's agreement to abandon Green Street.

2. Any and all costs and expense related to or resulting from the abandonment of Green Street shall be borne by Sellers.

3. Buyer understands and acknowledges that upon abandonment of Green Street, Buyer's sole and only access to the real property being purchased from Sellers as described hereinabove shall be from Lexington Street abutting the above-described real property to the east.

4. Buyer agrees to and shall execute any and all additional documents reasonably necessary to evidence and complete the abandonment of Green Street.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the \_\_\_\_\_ day of January, 1981, at Sacramento, California.



EXCEL ELECTRIC SUPPLY COMPANY, INC.  
a California Corporation

BY: \_\_\_\_\_  
President

BY: \_\_\_\_\_  
Secretary

AMA PARTNERSHIP, a California General Partnership

BY: \_\_\_\_\_  
Larry J. Allen

BY: \_\_\_\_\_  
Diane J. Allen

BY: \_\_\_\_\_  
David F. Aeschliman

BY: \_\_\_\_\_  
Rich Markel

*This document is now fully executed 1-3-81 John Daring*