

**DEPARTMENT OF
PUBLIC WORKS**

Development Services Division

**CITY OF SACRAMENTO
CALIFORNIA**

SPECIAL DISTRICTS

1231 I Street, Room 300
SACRAMENTO, CA 95814
PH 916-264-7474
FAX 916-264-7480

September 28, 2001

City Council
Sacramento, California

Honorable Members in Session:

**SUBJECT: ABANDONMENT OF A ROADWAY IRREVOCABLE OFFER OF DEDICATION
(R.I.O.D.) ADJACENT TO BAYOU ROAD AT TARBORO LANE**

LOCATION/COUNCIL DISTRICT: Bayou Road at Tarboro Lane
Council District 1

RECOMMENDATION:

This report recommends the City Council adopt the attached resolution abandoning a roadway irrevocable offer of dedication (R.I.O.D.) adjacent to Bayou Road at Tarboro Lane.

CONTACT PERSONS: Ron Perry, Engineering Technician III, 264-8298

FOR COUNCIL MEETING OF: October 16, 2001

SUMMARY:

The City has received a request from Wood Rodgers, Inc. to abandon a roadway irrevocable offer of dedication (R.I.O.D.) adjacent to Bayou Road at Tarboro Lane. See attached Exhibits "A" and "B" to the resolution.

COMMITTEE/COMMISSION:

None required.

Department of
PUBLICWORKS
CITY OF
SACRAMENTO

City Council

Abandonment of a R.I.O.D. adjacent to Bayou Road at Tarboro Lane – AP01-14

September 28, 2001

BACKGROUND INFORMATION:

City of Sacramento departments and utility companies have reviewed this request for the abandonment. Letters regarding this abandonment are on file with the Department of Public Works, Development Services.

Staff has reviewed the request to abandon and finds it in conformance with City Guidelines for Roadway Irrevocable Offer of Dedication Abandonment (City Resolution No. 95-667) and the State of California, Streets and Highways Code (Section 8300 et seq).

Letters to the property owners and residents within 500 feet of the abandonment were mailed by the City on October 2, 2001. Notice of the abandonment was posted along the subject right-of-way on October 2, 2001, and the Public Hearing Date was published in the Daily Recorder on October 2, 2001 and October 9, 2001. The Engineer's report relating additional facts of the abandonment is on file with the City Clerk's office. See Attachment "A" for the time schedule for this abandonment.

FINANCIAL CONSIDERATIONS:

The applicant provided all of the documentation required for the abandonment and has paid a fee to fund staff time required to process the abandonment application. There is no expense to the City.

ENVIRONMENTAL CONSIDERATIONS:

On September 9, 1999, the Planning Commission ratified a Negative Declaration for the Westborough Planned Unit Development (P98-112) project. Then on October 26, 1999, the City Council ratified a Negative Declaration for the Westborough Planned Unit Development (P98-112) project. Potentially significant environmental issues relating to the development of this project were evaluated. Mitigation measures were included relating to air, water, plant and animal life, noise, transportation and circulation, human health, and cultural resources. The currently proposed abandonment falls within the scope of the previous environmental evaluation. No new information or new issues are known that would trigger additional environmental analysis. Section 15162 of the Guidelines for Implementation of the California Environmental Quality Act Public Resources Code provides that an additional Negative Declaration need not be prepared unless subsequent changes are proposed in the project, substantial changes occur with respect to the project circumstances, or new information of substantial importance to the project becomes known or available. The proposed abandonment is within the scope of the prior environmental document. Therefore, no additional environmental document is required.

City Council

Abandonment of a R.I.O.D. adjacent to Bayou Road at Tarboro Lane – AP01-14
September 28, 2001

POLICY CONSIDERATIONS:

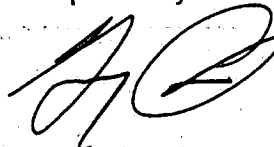
The proposed abandonment is consistent with Council priorities of public safety, and neighborhood revitalization and enhancement.

1. Section 8300 et. Seq. of the Streets and Highways Code allows for abandonment of streets, alleys, and easements that are no longer needed for public use. These abandonments are classified as regular abandonments.
2. City policy, as stated in Resolution No. 96-176 (approved by the City Council on May 7, 1996), provides for abandonment of a roadway irrevocable offer of dedication so long as there is a benefit to the community and would be supported by the majority of the property owners.
3. The proposed abandonment is consistent with these policies.

ESBD CONSIDERATIONS:

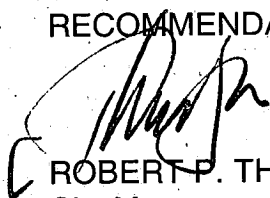
City Council adoption of the attached resolution is not affected by City policy related to the ESBD Program.

Respectfully submitted,



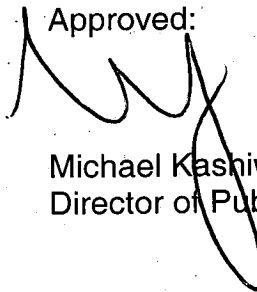
Gary Alm, Manager
Development Services

RECOMMENDATION APPROVED:



ROBERT P. THOMAS
City Manager

Approved:



Michael Kashiwagi
Director of Public Works

ATTACHMENT "A"

**SCHEDULE FOR REGULAR ABANDONMENT PROCEEDING
TO ABANDON A ROADWAY IRREVOCABLE OFFER OF DEDICATION (R.I.O.D.) ADJACENT
TO BAYOU ROAD AT TARBORO LANE
COUNCIL DISTRICT 1 (AP01-14)**

Posting on Alleys/Streets

October 2, 2001

Copy of Resolution Published in Daily Recorder

October 2, 2001 &
October 9, 2001

Public Hearing at City Council/Final Approval

October 16, 2001



RESOLUTION NO. 2001-691

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING
ABANDONMENT OF A ROADWAY IRREVOCABLE OFFER OF DEDICATION
(R.I.O.D.) ADJACENT TO BAYOU ROAD AT TARBORO LANE**

**COUNCIL DISTRICT 1
ABANDONMENT PROCEEDING NO. AP01-14**

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

- A. WHEREAS, the City received a petition to abandon from owners of property within the City of Sacramento requesting the City Council to consider abandonment of the subject property; 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 Planning and Building Department reviewed the proposed abandonment pursuant to Government Code Section 65402 and concluded that said abandonment would be consistent with the City General Plan and the applicable Community Plan; and

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

- 1. The roadway irrevocable offer of dedication (R.I.O.D.) adjacent to Bayou Road at Tarboro Lane as specifically described in Exhibit "A" and shown in Exhibit "B" attached hereto, is hereby ordered abandoned subject to the conditions and reservation specified in this resolution.

A map or plan of the proposed abandonment is attached as Exhibit "B" and is on file with the Department of Public Works, Development Services Section, located at 1231 I Street, Room 300.

- 2. The City Council finds that the above described roadway irrevocable offer of dedication is not necessary for present or prospective public use.

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RESOLUTION NO. _____

DATE ADOPTED: _____

3. The City Council hereby finds that said abandonment has been submitted to and reported on by the Planning and Building Department 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 General and Community Plans and finds the abandonment consistent with them in that it satisfies the City Council's "Review Guideline for Street and Alley Closure," adopted May 7, 1996, by Resolution No. 96-176.
4. This abandonment is subject to the following conditions which shall be fulfilled at no cost to the City:
 - a. Project shall provide an Irrevocable Offer of Dedication (I.O.D.), from the western site boundary (northwest corner of Parcel 15) to the eastern site boundary (northeast corner of Parcel 14), for Bayou Road as follows:

Street	Total R/W ⁽¹⁾	Lt R/W-C/L ⁽²⁾	C/L-Rt R/W ⁽³⁾
Bayou Road	65' 8"	30' 8"	35'

Notes:

- (1) The minimum right of way shall not be less than 65' 8" and shall be to the satisfaction of the Department of Public Works. Additional right-of-way may be required for expanded intersections.
- (2) This is the area between the proposed Bayou Road centerline and the northern road property line (Caltrans right of way).
- (3) This is the area between the proposed Bayou Road centerline and the southern road property line (Lennar Communities/Winncrest Natoma LLC).

- b. Utilities: Applicant shall dedicate right-of-way for Bayou Road to the satisfaction of Department of Utilities
 - c. Pacific Bell: Applicant shall dedicate a public utility easement in place of this roadway irrevocable offer of dedication.
5. After all the conditions in paragraph 4 of this resolution have been fulfilled and all fees have been paid, 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.
 6. All conditions specified in paragraph 4 of this resolution must be completed within two years of the date of this resolution. If all the conditions are not completed within the

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RESOLUTION NO. _____

DATE ADOPTED: _____

two years specified, this resolution approving the abandonment shall become void, unless the City Council grants a time extension.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

EXHIBIT "A"

A portion of Parcels 14 and 15 as shown on the Westborough Master Parcel Map, recorded in Book 158 of Parcel Maps, at Page 1, Sacramento County Records, in the City of Sacramento, County of Sacramento, State of California, described as follows:

The Roadway Irrevocable Offer of Dedication along the Northeasterly boundary line of said Parcels 14 and 15 as shown on said Map.

EXCEPTING THEREFROM all that portion of said Parcels shown as Lot A and designated "Tarboro Lane" on the Maps entitled "Final Map of Westborough Village 4 Phase 1" and "Final Map of Westborough Village 4 Phase 2" recorded respectively in Book 279 of Maps, at Page 8 and in Book 278 of Maps, at Page 8, Sacramento County Records, in the City of Sacramento, County of Sacramento, State of California,

ALSO EXCEPTING THEREFROM the following described portion of said Parcels:

BEGINNING at a POINT bearing North 72°55'56" West, a distance of 873.67 feet from the northeast corner of said Parcel 14; thence from a radial line which bears North 00°12'43" East, 34.46 feet along the arc of a non-tangent 27.00 foot radius curve to the left through a central angle of 73°08'06"; thence along the northerly prolongation of the southeasterly boundary line of Lot A, (known as Tarboro Lane), as shown on said map entitled, "Final Map of Westborough Village 4 Phase 1", South 17°04'37" West, a distance of 27.13 feet to the most northeasterly corner of said Lot A; thence along the northerly boundary line of said Lot A, North 72°55'23" West, a distance of 23.00 feet to the northwesterly corner of said Lot A, said corner also being the most northeasterly corner of Lot A as shown on said map entitled "Final Map of Westborough Village 4 Phase 2; thence along the northerly boundary line of said Lot A, North 72°55'23" West a distance of 23.00 feet to the northwesterly corner of said Lot A; thence along the northerly prolongation of the northwesterly boundary line of said Lot A, North 17°04'37" East, a distance of 27.12 feet; thence 34.47 feet along the arc of a tangent 27.00 foot radius curve to the left through a central angle of 73°09'12" to a point on the northeasterly boundary line of said Parcel 15, also being the southwesterly right-of-way line of Bayou Road; thence along said southwesterly right-of-way line of Bayou Road, South 72°55'56" East, a distance of 84.34 feet to the POINT OF BEGINNING.

FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

8

Containing 2699.05 square feet, more or less.

August 21, 2001

Basis of Bearings for this Description is the southwesterly boundary line of Lot A, (known as Tarboro Lane), as shown on said map entitled, "Final Map of Westborough Village 4 Phase 1". Said line is taken to bear South 17°04'37" West

END OF DESCRIPTION

See Exhibit "B", plat to accompany description, attached hereto and apart hereof.

PREPARED BY WOOD RODGERS, INC.
SACRAMENTO, CALIFORNIA



FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

WOOD RODGERS INC.

ENGINEERING PLANNING MAPPING SURVEYING

3301 C STREET, BLDG. 100-B
SACRAMENTO, CA 95816
PHONE: (916) 341-7760

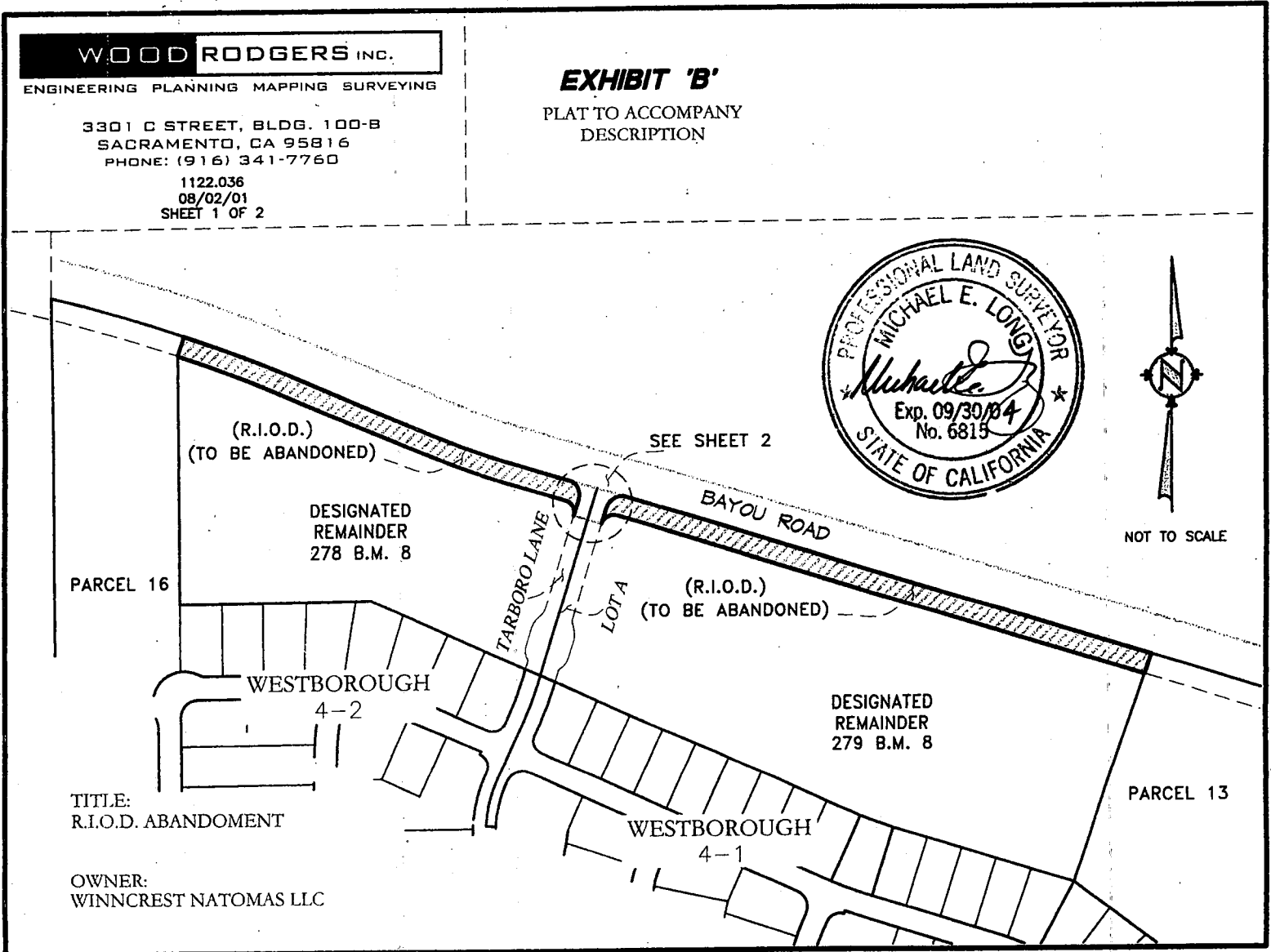
1122.036
08/02/01
SHEET 1 OF 2

EXHIBIT 'B'

PLAT TO ACCOMPANY
DESCRIPTION



NOT TO SCALE



PARCEL 16

(R.I.O.D.)
(TO BE ABANDONED)

DESIGNATED
REMAINDER
278 B.M. 8

WESTBOROUGH

4-2

TITLE:
R.I.O.D. ABANDONMENT

OWNER:
WINNCREST NATOMAS LLC

SEE SHEET 2

TARBORO LANE

LOT A

(R.I.O.D.)
(TO BE ABANDONED)

BAYOU ROAD

DESIGNATED
REMAINDER
279 B.M. 8

WESTBOROUGH

4-1

PARCEL 13

FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

10

ABANDONMENT PROCEEDING NO. AP01-14
AFFIDAVIT OF MAILING NOTICES

STATE OF CALIFORNIA)
) : SS
COUNTY OF SACRAMENTO)

Valerie Burrowes, the City Clerk being duly sworn, deposes and says that she is a citizen of the United States of America, over 21 years of age, and is competent to be a witness on hearing of the matter mentioned in this affidavit, that she is the City Clerk of the City of Sacramento, Sacramento County, California, and that respecting Abandonment Proceeding No. AP01-14, which the City Council of the City of Sacramento will adopt on October 16, 2001, she mailed on October 2, 2001, a copy of the legal description and Exhibit Map to all persons adjoining the proposed abandonment and the effected utility companies. A copy of said names and addresses are attached hereto and made a part hereof. Abandonment of a roadway irrevocable offer of dedication (R.I.O.D.) adjacent to Bayou Road at Tarboro Lane, Council District 1, Neighborhood Area 4.

Valerie A. Burrowes

CITY CLERK

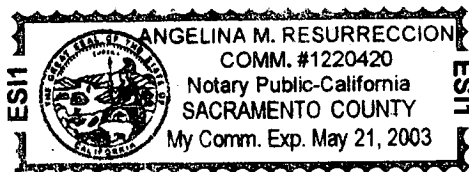
STATE OF California)
) SS
COUNTY OF Sacramento)

On this 4th day of October, in the year 2001, before me, personally appeared Valerie Burrowes, personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(ies), and that by ~~his~~/her/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal,

Angelina M. Resurreccion

(Signature)



APN 225-1480-054, 055 1, 2
 WINNCREST NATOMAS LLC
 2240 DOUGLAS BL 200
 ROSEVILLE CA 95661

APN 225-0300-071 3
 NORTH NATOMAS 523 INVESTORS
 7700 COLLEGE TOWN DR 101
 SACRAMENTO CA 95826

APN 225-0300-023 4
 PADILLA J L/ROSE A/TR/ETAL
 P O BOX 1702
 SACRAMENTO CA 95812

APN 225-1590-093 5
 WESTLAKE VILLAGE UNIT 4 INVESTORS
 C/O CHRISTOPHERSON HMS
 1315 AIRPORT BL
 SANTA ROSA CA 95403

APN 225-0300-050, 051 6, 7
 STATE OF CALIFORNIA
 C/O DEPT OF TRANSPORTATION
 P O BOX 911
 MARYSVILLE CA 95901

APN 225-1480-053 8
 WINNCREST NATOMAS LLC
 2240 DOUGLAS BL 200
 ROSEVILLE CA 95661

APN 225-1480-012, 013 9, 10
 WINNCREST NATOMAS LLC
 2240 DOUGLAS BL 200
 ROSEVILLE CA 95661

APN 225-1480-021, 056, 057 11-13
 WINNCREST NATOMAS LLC
 2240 DOUGLAS BL 200
 ROSEVILLE CA 95661

APN 225-1590-001 thru 014 14-27
 WESTLAKE VILLAGE UNIT 4 INVESTORS
 C/O CHRISTOPHERSON HMS
 1315 AIRPORT BL
 SANTA ROSA CA 95403

APN 225-1590-040 thru 052 28-40
 WESTLAKE VILLAGE UNIT 4 INVESTORS
 C/O CHRISTOPHERSON HMS
 1315 AIRPORT BL
 SANTA ROSA CA 95403

APN 225-1590-072 thru 082 41-51
 WESTLAKE VILLAGE UNIT 4 INVESTORS
 C/O CHRISTOPHERSON HMS
 1315 AIRPORT BL
 SANTA ROSA CA 95403

APN 225-1600-001 thru 028 52-79
 WESTLAKE VILLAGE UNIT 4 INVESTORS
 C/O CHRISTOPHERSON HMS
 1315 AIRPORT BL
 SANTA ROSA CA 95403

APN 225-1600-033 thru 039 80-86
 WESTLAKE VILLAGE UNIT 4 INVESTORS
 C/O CHRISTOPHERSON HMS
 1315 AIRPORT BL
 SANTA ROSA CA 95403

APN 225-1600-046 thru 071 87-112
 WESTLAKE VILLAGE UNIT 4 INVESTORS
 C/O CHRISTOPHERSON HMS
 1315 AIRPORT BL
 SANTA ROSA CA 95403

C/O MIKE LONG
 WOOD-RODGERS, INC.
 3301 C STREET, BUILDING 100 B
 SACRAMENTO CA 95816



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FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

Containing 2699.05 square feet, more or less.

August 21, 2001

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END OF DESCRIPTION

See Exhibit "B", plat to accompany description, attached hereto and apart hereof.

PREPARED BY WOOD RODGERS, INC.
SACRAMENTO, CALIFORNIA



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DATE ADOPTED: _____

WOOD RODGERS INC.

ENGINEERING PLANNING MAPPING SURVEYING

3301 C STREET, BLDG. 100-B
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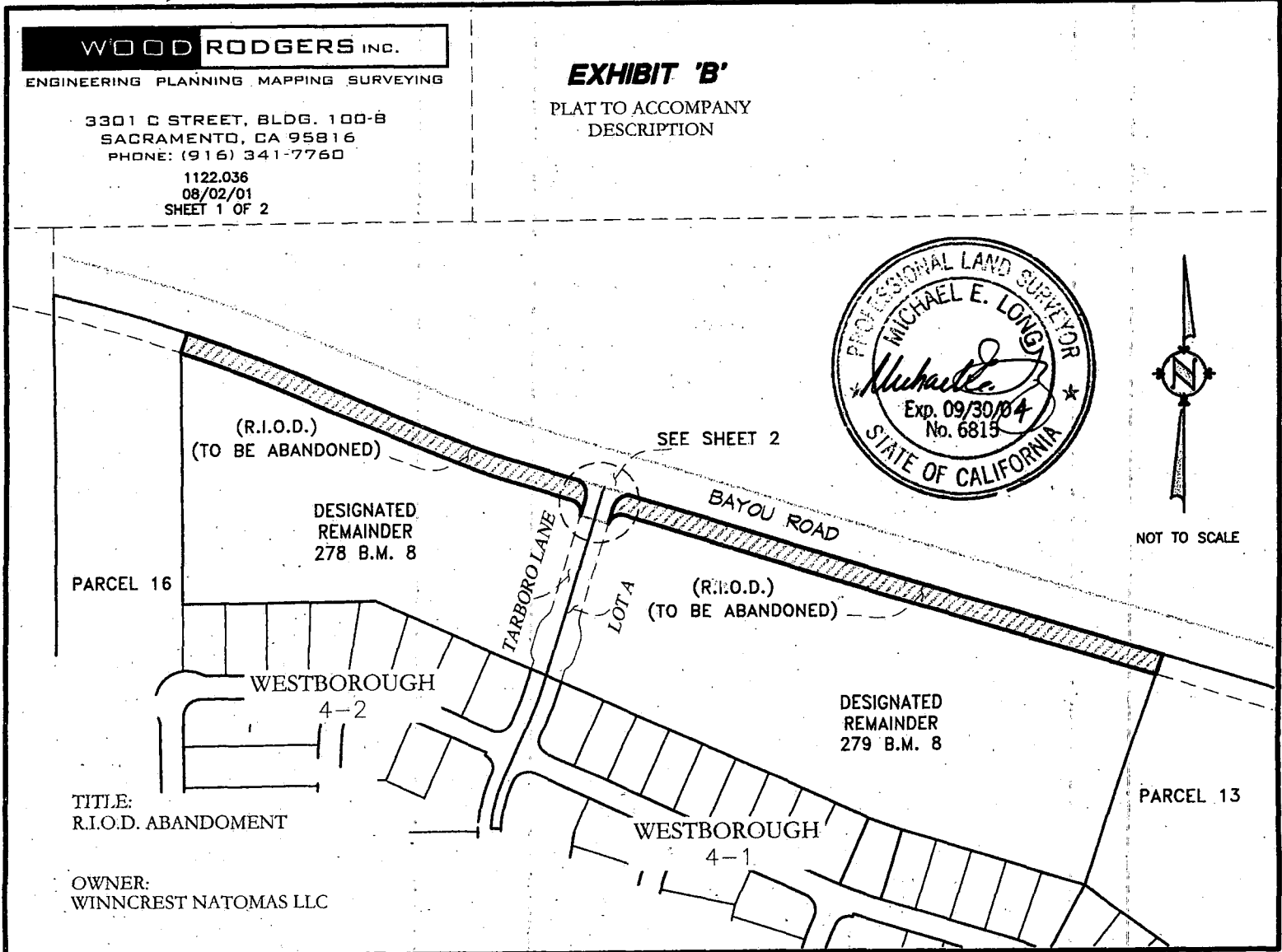
1122.036
08/02/01
SHEET 1 OF 2

EXHIBIT 'B'

PLAT TO ACCOMPANY
DESCRIPTION



NOT TO SCALE



FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

TITLE:
R.I.O.D. ABANDONMENT

OWNER:
WINNCREST NATOMAS LLC