



CITY OF SACRAMENTO

July 7, 1981

REAL ESTATE AND STREET ASSESSMENTS DIVISION
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CITY HALL ROOM 207

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CITY MANAGER'S OFFICE
RECEIVED
JUL 1 1981

IRVIN E. MORAES
REAL ESTATE SUPERVISOR

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Hearing on Abandonment of Drainage Easement adjacent to
Indian Lane, Improvement Proceeding No. 5197

BACKGROUND INFORMATION

On June 16, 1981, the City Council adopted its Resolution of Intention to abandon the Drainage Easement adjacent to Indian Lane.

Attached is the Engineer's Report in the matter of said abandonment.

The City Clerk advises that no protests have been received.

RECOMMENDATION

It is recommended that the Hearing be closed and the Resolution Vacating this public easement be adopted.

Respectfully submitted,

R. H. Parker
City Engineer

Recommendation Approved

Walter J. Slupe
City Manager

RHP:CGP:yg
Attachment
File No. 5197

July 7th, 1981
DISTRICT NO. 7

APPROVED
BY THE CITY COUNCIL

JUL - 7 1981

OFFICE OF THE
CITY CLERK

81-567

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

APPROVED
BY THE CITY COUNCIL

JULY 7TH, 1981

JUL - 7 1981

FOR IMPROVEMENT PROCEEDING NO. 5197

OFFICE OF THE
CITY CLERK

VACATING PUBLIC EASEMENT PURSUANT TO SECTIONS 50430
TO 50445, INCLUSIVE, OF THE GOVERNMENT CODE OF THE
STATE OF CALIFORNIA

WHEREAS, a petition has been filed with the City Council of the City of Sacramento requesting vacation of the public easement hereinafter described by vacating the public utility easement lying within the boundaries of Indian Lane Drainage Ditch;

WHEREAS, this Council did fix the 7th day of July, 1981, at the hour of 7:30 P.M. of said day, in the Council Chambers of the City Council of the City of Sacramento in the City Hall on I Street between 9th and 10th Streets of said City, as the time and place for hearing said petition and did give due notice thereof as required pursuant to Sections 50430 to 50445, inclusive, of the Government Code of the State of California; and

WHEREAS, the said City Council has adopted a resolution of intention to vacate the easement herinafter described pursuant to Resolution of Intention No. 5197, adopted by the City Council on June 16th, 1981; and

WHEREAS, said City Council did hear the evidence offered by any and all parties interested in said petition; and

WHEREAS, said vacation is declared after due proceedings had therefor according to law and the finding by the City Council which is hereby made, that said easement is unnecessary for present or prospective use.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That this Council has heretofore adopted it's Engineer's Report and the same is attached hereto and marked Exhibit "A" and incorporated by reference herein.

That the herinafter described public easement in the City of Sacramento, County of Sacramento, State of California, be, and the same is hereby ordered vacated:

All that portion of the Southeast one-quarter of Section 31, Township 8 North, Range 5 East, Mount Diablo Meridian, City of Sacramento, California, recorded on November 12, 1976, and described as follows:

Beginning at a point on the Northerly line of Area "B" as shown on the plat of Survey filed in the Sacramento County Recorder's office in Book 6 of Surveys, Map No. 18, from which point the Northwest corner thereof bears South 88° 21' 00" West 31.02 feet, said Northwest corner of Area "B" also being the Northwest corner of Parcel "A" as shown on that Parcel Map filed in said Recorder's office in Book 25 of Parcel Maps, at Page 44; thence, from said POINT OF BEGINNING North 00° 07' 00" East 340.00 feet; thence, North 88° 21' 00" East 304.44 feet; thence, along the arc of a 15.00 foot radius curve which is concave to the Northwest, said arc being subtended by a chord which bears North 44° 14' 00" East 20.88 feet; thence, North 00° 07' 00" East 381.63 feet; thence, North 76° 36' 06" East 129.92 feet, thence, along the arc of a 15.00 foot radius curve which is concave to the Northwest, said arc being subtended by a chord which bears North 39° 15' 14" East 18.20 feet; thence North 01° 54' 23" East 75.15 feet to a point on the westerly right-of-way line of the Western Pacific Railroad; thence, along said line South 13° 23' 54" East 96.52 feet; thence, leaving said line South 76° 36' 06" West 142.16 feet; thence along the arc of a 15.00 foot radius curve which is concave to the Southeast, said arc being subtended by a chord which bears South 38° 21' 33" West 18.57 feet; thence, South 00° 07' 00" West 359.56' feet; thence, along the arc of a 28.00 foot radius curve which is concave to the Northwest, said arc being subtended by a chord which bears South 44° 14' 00" West 38.99 feet; thence South 88° 21' 00" West 275.29 feet; thence, along the arc of a 15.00 foot radius curve which is concave to the Southeast, said arc being subtended by a chord which bears South 44° 14' 00" West 20.88 feet; thence, South 99° 07' 00" West 312.45 to a point on the Northerly line of said Parcel "A"; thence, along said Northerly line South 88° 21' 00" West 15.00 feet to the point of beginning.

APPROVED
BY THE CITY COUNCIL

JUL - 7 1981

OFFICE OF THE
CITY CLERK

Together with the perpetual right and privilege of flowing water in, through and along said canal, ditch or pipeline in such amounts and at such time as party of the second part shall deem necessary, and the perpetual right of ingress to and egress from said property, for the purpose of exercising and performing all of the rights and privileges herein granted.

IT IS FURTHER ORDERED that a copy of this order, attested by the Clerk of this Council, be recorded in the office of the Recorder of the County of Sacramento.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO, THIS 7TH DAY OF JULY, 1981.

MAYOR

ATTEST:

CITY CLERK

APPROVED
BY THE CITY COUNCIL

JUL - 7 1981

OFFICE OF THE
CITY CLERK

EXHIBIT "A"
July 7th, 1981
CITY COUNCIL OF THE CITY OF SACRAMENTO

In the Matter of Improvement)
Proceeding NO. 5197, Abandon-)
ment of the Drainage Easement)
In Indian Lane Drainage Ditch) ENGINEER'S REPORT

A Public Hearing is scheduled for this date pertaining to the proposed abandonment of the Drainage Easement lying within Indian Lane.

This proposed abandonment has been undertaken due to the following facts:

1. A request from the property owner was presented to Council on June 16, 1981.
2. That on June 16, 1981, the City Engineer presented to Council the Resolution of Intention for the abandonment, for approval. On that date, the Council did approve said Resolution of Intention, which set a Hearing date on the abandonment for this date.
3. That on June 18th and 19th, 1981, the Resolution of Intention was published in the Daily Recorder.
4. That on
5. The abandonment would consist of abandoning the Drainage Easement located within the boundaries of Indian Lane.

The purpose of the abandonment is to eliminate an easement which will not be used for the propose for which it was dedicated.

6. It is my opinion that said abandonment will not affect the aesthetics of the neighborhood.

Executed this 7th day of July, 1981.

APPROVED
BY THE CITY COUNCIL

JUL - 7 1981

OFFICE OF THE
CITY CLERK

R. H. PARKER
CITY ENGINEER