



CITY OF SACRAMENTO

June 17th, 1980

CITY MANAGER'S OFFICE
RECEIVED
JUN 11 1980

IRVIN E. MORAES
REAL ESTATE SUPERVISOR

REAL ESTATE AND STREET ASSESSMENTS DIVISION
915 I STREET SACRAMENTO, CALIFORNIA 95814
CITY HALL ROOM 207 TELEPHONE (916) 449-5626

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Abandonment of the North 555+ Feet of North 7th Street, Improvement Proceeding No. 5101 (North 7th Street and Richards Boulevard)

BACKGROUND INFORMATION

The law firm of Petty, Andrews, Tufts and Jackson, acting as agent for Borden, Inc. and R.O.M. Partnership, has requested that the City of Sacramento abandon the North 555+ feet of North 7th Street. The portion of the street they are requesting be abandoned dead ends at the toe of the American River and for years they have had this area closed off by a fence across North 7th Street. The new owners, R.O.M. Partnership, would like the street officially abandoned so they can use the area for additional storage yard and staging area for the operation of their facilities.

FINANCIAL DATA

No City funds are to be expended.

RECOMMENDATION

It is recommended that the Resolution of Intention to abandon the North 555+ feet of North 7th Street be adopted, which sets a Hearing for July 8th, 1980.

Respectfully submitted,

R. H. Parker
City Engineer

Recommendation Approved

Walter J. Slupe
City Manager

APPROVED
BY THE CITY COUNCIL

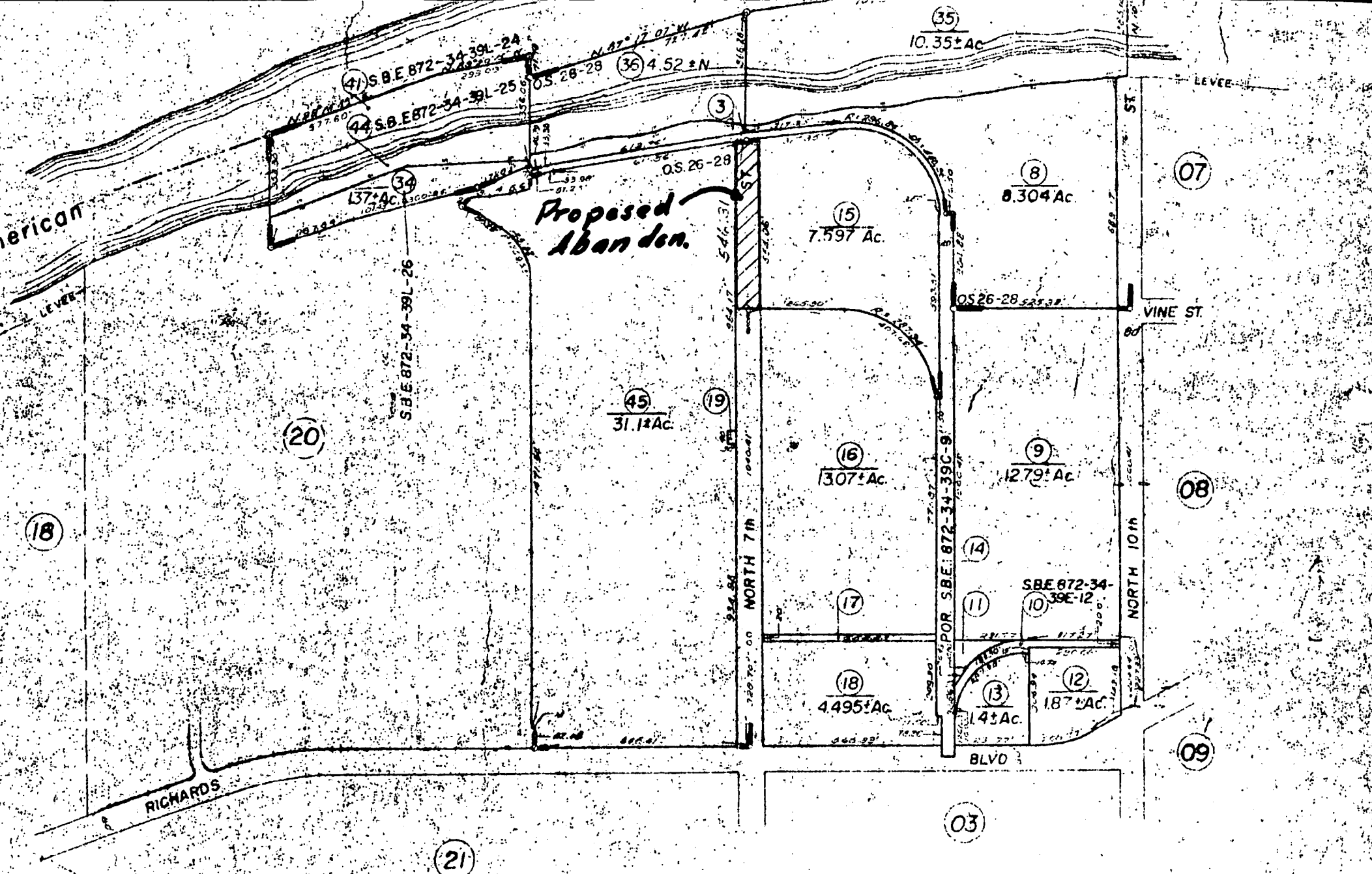
JUN 17 1980

OFFICE OF THE
CITY CLERK

Hearing
~~7-8-80~~
7-8-80

RHP:IEM:bd
Attachments
File # 5101

June 17th, 1980
DISTRICT NO. 1



CITY OF SACRAMENTO
 Assessor's Map Bk. 1 -Pg.02
 County of Sacramento, Calif.

NOTE: Assessor's Block Numbers Shown in Ellipses.
 Assessor's Parcel Numbers Shown in Circles.

RESOLUTION OF INTENTION

NO. 5101

WHEREAS, in the opinion of the City Council of the City of Sacramento, the public interest and convenience require the abandonment of the following described public right of way as provided under the Street Vacation Act of 1941, Streets and Highways Code of the State of California;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sacramento hereby declares its intention to abandon and vacate the following described public right of way in the City of Sacramento described as follows:

All that portion of 7th Street as shown on that certain Record of Survey entitled "Portion of Sections 25, 26 & 35, T. 9 N., R. 4 E., M. D. M.", recorded in the office of the Recorder of Sacramento County in Book 26 of Surveys, at Page 28, described as follows:

Beginning at the Northwest corner of Parcel No. 15, as said parcel is shown on said Record of Survey; thence from said point of beginning along the Westerly boundary of said Parcel 15 South $18^{\circ} 29' 45''$ West 554.06 feet to the Southwest corner of said Parcel 15; thence along the Westerly production of the Southerly boundary of said Parcel 15 North $71^{\circ} 37' 15''$ West 75.50 feet to a point located on the Easterly boundary of that certain tract of land described in Resolution No. 5041, adopted by the Sacramento City Council on date of November 27th, 1979, Vacating Public Easement Pursuant to the Street Vacation Act of 1941 of Streets and Highways Code of the State of California recorded in the office of said Recorder in Book 79-12-19 of Official Records at Page 591; thence along said Easterly boundary North $18^{\circ} 29' 45''$ East 546.31 feet to a point located on the Southerly boundary of the Southern Pacific Company Property as shown on said Record of Survey; thence along said Southerly boundary the following two (2) courses and distances: (1) Easterly, curving to the right on an arc of 5719.60 feet radius, said arc being subtended by a chord bearing South $77^{\circ} 33' 30''$ East 23.32 feet and (2) South $77^{\circ} 26' 30''$ East 52.59 feet to the point of beginning. RESERVING HOWEVER, an easement to the Sacramento Municipal Utility District and Pacific Telephone the right of entry to repair, maintain and construct aerial or underground power, telephone and other communication facilities over the Westerly 12 feet of the Southerly 250 feet of said Street and an easement to the City of Sacramento for the right of entry to repair, maintain and construct storm sewers, sanitary sewers and water main over the Southerly 25 feet of said Street and a 20 feet fire protection lane along the entire length of said Street lying 5 feet Westerly and 15 feet Easterly of the center line of said Street. All proceedings in connection with the aforesaid abandonment are to be taken subject to such reservations and exceptions.

APPROVED
BY THE CITY COUNCIL

JUN 17 1980

OFFICE OF THE
CITY CLERK

BE IT FURTHER RESOLVED AND ORDERED that on the 8th day of July, 1980, at the hour of 7:30 o'clock P. M. in the Council Chambers of the City Council of the City of Sacramento, on I Street between 9th and 10th Streets in said City, be, and the same is hereby fixed as the time and place for the hearing on the proposed abandonment of said public right of way.

BE IT FURTHER RESOLVED that the City Clerk be directed to publish notice of hearing of the proposed abandonment of said public right of way in the Sacramento Union, a daily newspaper, as required by law, and that said notice be posted along the right of way to be abandoned in accordance with the provisions of the Street Vacation Act of 1941, Sections 8300 to 8324, Streets and Highways Code of the State of California.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THIS 17TH DAY OF JUNE, 1980.

MAYOR

CITY CLERK

KEITH PETTY
GEORGE A. ANDREWS, JR.
ROBERT R. TUFTS
BARTLETT A. JACKSON, INC.
GEORGE H. COLE, JR.
HENRY P. MASSEY, JR.
TEMPLETON C. PECK
JAMES P. KLEINBERG
J. DAVID BLACK
CHARLES G. STEPHENSON
JOHN S. SIAMAS
DAVID T. ALEXANDER
AUBAN ANN EISENHARDT
CARL J. STONEY, JR.
KENNETH J. PHILPOT
ELLEN MCGINTY KING
MICHAEL J. BAKER
DAVID A. THOMPSON
JOAN I. SAMUELSON
KATHLEEN M. CALLAHAN
JEFFREY C. MILLER
PETER A. DANALO

LAW OFFICES OF
PETTY, ANDREWS, TUFTS & JACKSON

650 CALIFORNIA STREET
THIRTY-FIRST FLOOR
SAN FRANCISCO, CALIFORNIA 94108
(415) 433-1950

OF COUNSEL
ALVIN D. McNEIL
JOHN D. ALSPACH

SAN JOSE OFFICE
UNION BANK BUILDING
99 ALMADEN BOULEVARD
SAN JOSE, CALIFORNIA 95113
(408) 998-1952

PALO ALTO OFFICE
755 PAGE MILL ROAD
PALO ALTO, CALIFORNIA 94304
(415) 494-1950

January 29, 1980

Mr. Irvin E. Moraes
Real Estate and Street
Assessments Division
City of Sacramento
915 I Street
Sacramento, California 95814

Dear Mr. Moraes:

Our firm has represented Borden, Inc. in connection with that company's sale last year of its tomato processing plant in Sacramento to ROM Partnership. You will recall that I worked with you last fall in connection with the abandonment by the City of the westerly 4.5 feet of North 7th Street, north of Richards Boulevard, for the purpose of clearing encroachments by buildings in that area.

I spoke with you earlier this month regarding the fact that one building was still encroaching into the northerly portion of North 7th Street by more than 4.5 feet. In our conversation, you indicated that you felt that it would be feasible for the City to vacate its right-of-way to the entire street in that area.

Accordingly, I have had prepared and am enclosing herewith a description of the road from the Southern Pacific Company property boundary to a gate which is located approximately 555 feet south of that boundary.

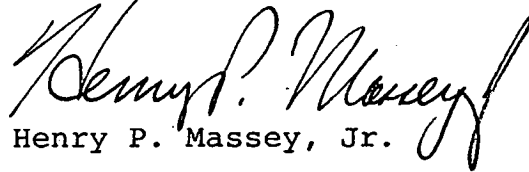
On behalf of Borden, Inc., I am requesting that the abandonment of this portion of North 7th Street be noticed for a hearing by the City Council, so that the Council can authorize the execution of a quitclaim deed to the subject parcel in favor of Borden's buyer, ROM Partnership.

Mr. Irvin E. Moraes
January 29, 1980
Page Two

If you have any further questions or need any additional information, please contact me. I would also appreciate it if you could send me the notice of hearing when it has issued.

Very truly yours,

PETTY, ANDREWS, TUFTS & JACKSON



Henry P. Massey, Jr.

HPM/am
Enclosure

cc: Jerry Hackman
Ronald P. Moran



CITY OF SACRAMENTO

DIVISION OF WATER AND SEWERS

927 - 10TH ST.
SUITE #201

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5271

HARRY G. BEHRENS
MANAGER
ROBERT W. JOHNSTON
ASSISTANT MANAGER

April 9, 1980

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Abandonment of a Portion of North 7th Street

The Division of Water & Sewers presently maintains a storm and a sanitary sewer within the proposed abandonment. There is a manhole on each main located just north of the southerly boundary of the proposed abandonment. This Division has no objections to the abandonment of the property described below providing that the following conditions are met:

- a) For the sanitary and storm sewers southerly of and including said manholes a "continuing use" clause as cited in Section 8330 of the Streets and Highways Code is incorporated in the Abandonment Ordinance reserving all rights for the City to construct, reconstruct, operate and maintain sewer and storm drain facilities.
- b) That portion of the sanitary and storm sewers northerly of the said manholes shall become the property of the property owner. The property owner shall be responsible for all maintenance required on these facilities. City maintenance responsibility shall end at the sewer and storm drain manholes.

DESCRIPTION: All that portion of 7th Street as shown on that certain Record of Survey entitled "Portion of Sections 25, 26 & 35, T. 9 N., R. 4 E., M.D.M.", recorded in the office of the Recorder of Sacramento County in Book 26 of Surveys, at Page 28, described as follows:

Beginning at the Northwest corner of Parcel No. 15, as said parcel is shown on said Record of Survey; thence from said point of beginning along the Westerly boundary of said Parcel 15 South $18^{\circ} 29' 45''$ West 554.06 feet, thence North $71^{\circ} 37' 15''$ West 75.50 feet to a point located on the Easterly boundary of that certain tract of land described in Resolution No. 5041 Adopted by the Sacramento City Council on Date of November 27th, 1979, Vacating Public Easement Pursuant to the Street Vacation Act of 1941 of Streets and Highways Code of the State of California recorded in the office of said Recorder in Book 79-12-19 of Official Records at Page 591; thence along said Easterly boundary North $18^{\circ} 29' 45''$ East 546.31 feet to a point located on the Southerly boundary of the Southern Pacific Company Property as shown on said Record of Survey; thence along said Southerly boundary the following two (2) courses and distances: (1) Easterly, curving to the right on an arc of 5719.60 feet radius, said arc being subtended by a chord bearing $77^{\circ} 33' 30''$ East 23.32 feet and (2) South $77^{\circ} 26' 30''$ East 52.59 feet to the point of beginning.

Respectfully submitted,

Stephen F. Davis, Associate Engineer

CONFIDENTIAL



CONFIDENTIAL
EXEMPT FROM AUTOMATIC
DOWNGRADING AND
DECLASSIFICATION

CONFIDENTIAL
EXEMPT FROM AUTOMATIC
DOWNGRADING AND
DECLASSIFICATION

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CITY OF SACRAMENTO

DEPARTMENT OF FIRE Fire Prevention Bureau

915 "I" STREET, SACRAMENTO, CALIF. 95814
CITY HALL - ROOM 3 TEL. (916) 449-5416

WILLIAM R. POWELL
FIRE CHIEF
RAY CHARLES
FIRE MARSHAL

"Smoke Detectors Save Lives"

June 5, 1980

M E M O R A N D U M

TO: IRV MORAES, REAL ESTATE SUPERINTENDENT

FROM: RAY CHARLES, FIRE MARSHAL

SUBJECT: PROPOSED ABANDONMENT OF PORTION OF NORTH 7TH STREET

To approve the abandonment of any portion of North 7th Street north of Richards Boulevard would create a very severe firefighting problem. It would eliminate our ability to provide adequate fire protection on both the north and west sides of the structures fronting on the west side of North 7th Street. Access to fire hydrants on the north and west sides of the property is by way of North 7th Street only.

This department recommends that the Commission adopt either of the following:

Grant a revocable permit that would require the owners to provide and continually maintain a fire lane not less than 20 feet in width. The lane shall extend to the rear of the property.

Permit the abandonment request with the stipulation that a fire lane not less than 20 feet in width be provided and maintained.


RAY CHARLES
FIRE MARSHAL

RC/cc

CC: files



Page 1 of 1

CONFIDENTIAL - SECURITY INFORMATION

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Pacific Telephone

Right of Way Office
3707 Kings Way, Sec. C-32
Sacramento, Calif. 95821

March 21, 1980

Honorable City Council of
the City of Sacramento
City Hall
915 "I" Street
Sacramento, California 95814

RE: Abandonment of the North end of North 7th Street

Dear Council Members:

Pacific Telephone requests the reservation of an easement 10.00 feet in width the centerline of which is along the existing pole line on the west side of the north end of North 7th Street. We are on The Sacramento Municipal Utility District poles.

Please forward a copy of the City's Resolution to this office.

Sincerely,

Janet Gardner
Right of Way Agent





SACRAMENTO MUNICIPAL UTILITY DISTRICT □ 6201 S Street, Box 15830, Sacramento, California 95813; (916) 452-3211

March 27, 1980

SMUD FILE: PWC/C 318

City Council
City of Sacramento
City Hall
Sacramento, California 95814

Dear Council Members:

Mr. Robert Ness of The Spink Corporation has notified us of the proposed abandonment of all that portion of 7th Street as shown on that certain Record of Survey entitled "Portion of Sections 25, 26 & 35, T.9N., R.4E., M.D.M.", recorded in the office of the Recorder of Sacramento County in Book 26 of Surveys, at Page 28, described as follows:

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This District is presently occupying the southerly 250 feet of the westerly 35.50 feet of said parcel proposed for abandonment with overhead and underground electric power facilities which must remain in place. However, provided the usual "continuing-use" clause as cited in Section 8330 of the Streets and Highways Code is incorporated in the abandonment ordinance, reserving all rights for the District to construct, reconstruct, operate and maintain electric facilities within the southerly 250 feet of the westerly 35.50 feet of the subject portion of North 7th Street, we interpose no objection to the abandonment.

Sincerely,

Betty Boles
Manager
Land Department.

cc: Robert Ness
The Spink Corporation



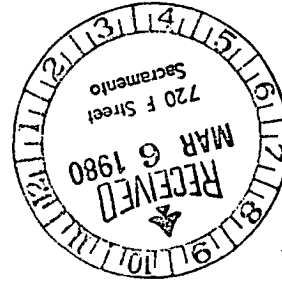
PACIFIC GAS AND ELECTRIC COMPANY

PG&E

5555 FLORIN-PERKINS ROAD • P. O. BOX 7444 • SACRAMENTO, CALIFORNIA 95826

March 4, 1980

File 641



Honorable City Council
City of Sacramento
City Hall, 915 "I" Street
Sacramento, CA 95814

Gentlemen:

You have before you a petition to abandon that portion of 7th Street described as follows:

Beginning at the Northwest corner of Parcel No. 15, as said parcel is shown on said Record of Survey, filed for record in Book 26 of Surveys at Page 28, Sacramento County Records; thence from said point of beginning along the Westerly boundary of said Parcel 15 South $18^{\circ} 29' 45''$ West 554.06 feet to the Southwest corner of said Parcel 15; thence along the Westerly production of the Southerly boundary of said Parcel 15 North $71^{\circ} 37' 15''$ West 75.50 feet to a point located on the Easterly boundary of that certain tract of land described in Resolution No. 5041 Adopted by the Sacramento City Council on Date of November 27th, 1979, Vacating Public Easement Pursuant to the Street Vacation Act of 1941 of Streets and Highways Code of the State of California recorded in the office of said Recorder in Book 79-12-19 of Official Records at Page 591; thence along said Easterly boundary North $18^{\circ} 29' 45''$ East 546.31 feet to a point located on the Southerly boundary of the Southern Pacific Company Property as shown on said Record of Survey; thence along said Southerly boundary the following two (2) courses and distances: (1) Easterly, curving to the right on an arc of 5719.60 feet radius, said arc being subtended by a chord bearing South $77^{\circ} 33' 30''$ East 23.32 feet and (2) South $77^{\circ} 26' 30''$ East 52.59 feet to the point of beginning.

This Company has no facilities within this area and has no objection to the proposed abandonment without reservation.

Sincerely,

A. H. ALBIETZ,
Manager, General Services

By E. C. Hornof, Jr.
E. C. Hornof, Jr.
Division Land Supervisor

AMSunahara/jli
cc: SBrozek
JARotlisberger