



14

DEPARTMENT OF
PUBLIC WORKS

ENGINEERING DIVISION

THOMAS M. FINLEY
ENGINEERING DIVISION MANAGER

CITY OF SACRAMENTO
CALIFORNIA

APPROVED
BY THE CITY COUNCIL

JUN 27 1989

OFFICE OF THE
CITY CLERK

927 TENTH STREET
ROOM 200
SACRAMENTO, CA
95814-2705

916-449-8220

CONSTRUCTION SECTION
640 BERGUT DRIVE
SUITE B
SACRAMENTO, CA
95814-0131

916-449-5282

June 27, 1989

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Abandonment of a Five Foot Public Utility Easement at 165 Commerce Circle -
Summary AP No. 89-12

SUMMARY

The Department of Public Works requests that the City Council adopt a resolution abandoning a five foot (5') public utility easement starting at 165 Commerce Circle and proceeding north to the Western Pacific Railroad tracks then proceeding west approximately 287 feet.

BACKGROUND

Roberta R. Barkman of the Santa Fe Pacific Realty Corporation is requesting an abandonment of the public utility easement to correct their current encroachment problem. The easement is currently not being used.

The proposed abandonment, exempt from the City's "Review Guidelines for Street Closures," was reviewed by staff and found to be in conformance with State law. Approval of the request is recommended. The Environmental Coordinator filed a Negative Declaration for this project on May 25, 1989. Staff and the utility companies have reviewed the proposed abandonment and have no objections.

FINANCIAL DATA

A fee of \$250.00 was charged to the applicant. There is no expense to the City.

POLICY CONSIDERATIONS

None.

City Council
Summary AP No. 89-12
June 27, 1989
Page 2

MBE/WBE EFFORTS

None.

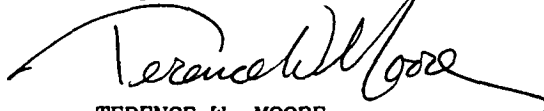
VOTE OF COMMISSION

The proposed abandonment is exempt from review under Section 65402 of the California Government Code.

RECOMMENDATION


It is recommended that the attached resolution be adopted, which is the final order in the proceedings for the abandonment.

Respectfully submitted,



TERENCE W. MOORE
Supervising Engineer
Development Services

Recommendation Approved:



WALTER J. SLIVE
City Manager

Approved:



MELVIN H. JOHNSON
Director of Public Works

CONTACT PERSON

Steve Anderson, Administrative Trainee
449-8213

June 27, 1989
District No. 1

SA:yg
RE6-10AB.C
06-1589

Attachment

RESOLUTION NO. 89-491

APPROVED
BY THE CITY COUNCIL

ADOPTED BY THE SACRAMENTO CITY COUNCIL

JUN 27 1989

OFFICE OF THE CLERK

ON DATE OF _____

**SUMMARY VACATION AND ABANDONMENT OF A FIVE FOOT
PUBLIC UTILITY EASEMENT AT 165 COMMERCE CIRCLE**

ABANDONMENT PROCEEDING NO. AP89-12

WHEREAS, in accordance with Section 8300, et. seq., of the Streets and Highways Code of the State of California, the City Council hereby vacates and abandons a portion of the following described easement:

That certain Parcel of land situated in the City of Sacramento, County of Sacramento County, State of California, being the easterly 5.0 feet of Parcels B and C, and the northerly 5.0 feet of said Parcel C, as said Parcels are shown on that certain Parcel Map entitled "Parcel 3 as recorded in Certificate of Compliance, Book 7712-29, Page 1866", filed for record March 10, 1982, in Book 70 of Parcel Maps, at Page 1, Sacramento County Records.

The above-described 5.0 foot strip of land was shown or dedicated by that certain map entitled Johnson Industrial Park Unit No. 5, as per map filed for record in Book 97 of Maps, at Page 20, Sacramento County Records.

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

That the City Council does hereby find and declare that all of the facts, as set forth in this resolution, are true and correct; that by reason of the findings and premises aforesaid, said easements, as above set forth and described, is hereby declared abandoned and vacated.

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

ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO, THIS 27TH DAY OF JUNE, 1989

ATTEST:

MAYOR

CITY CLERK

RE6-12AB.C
06.1589.1

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

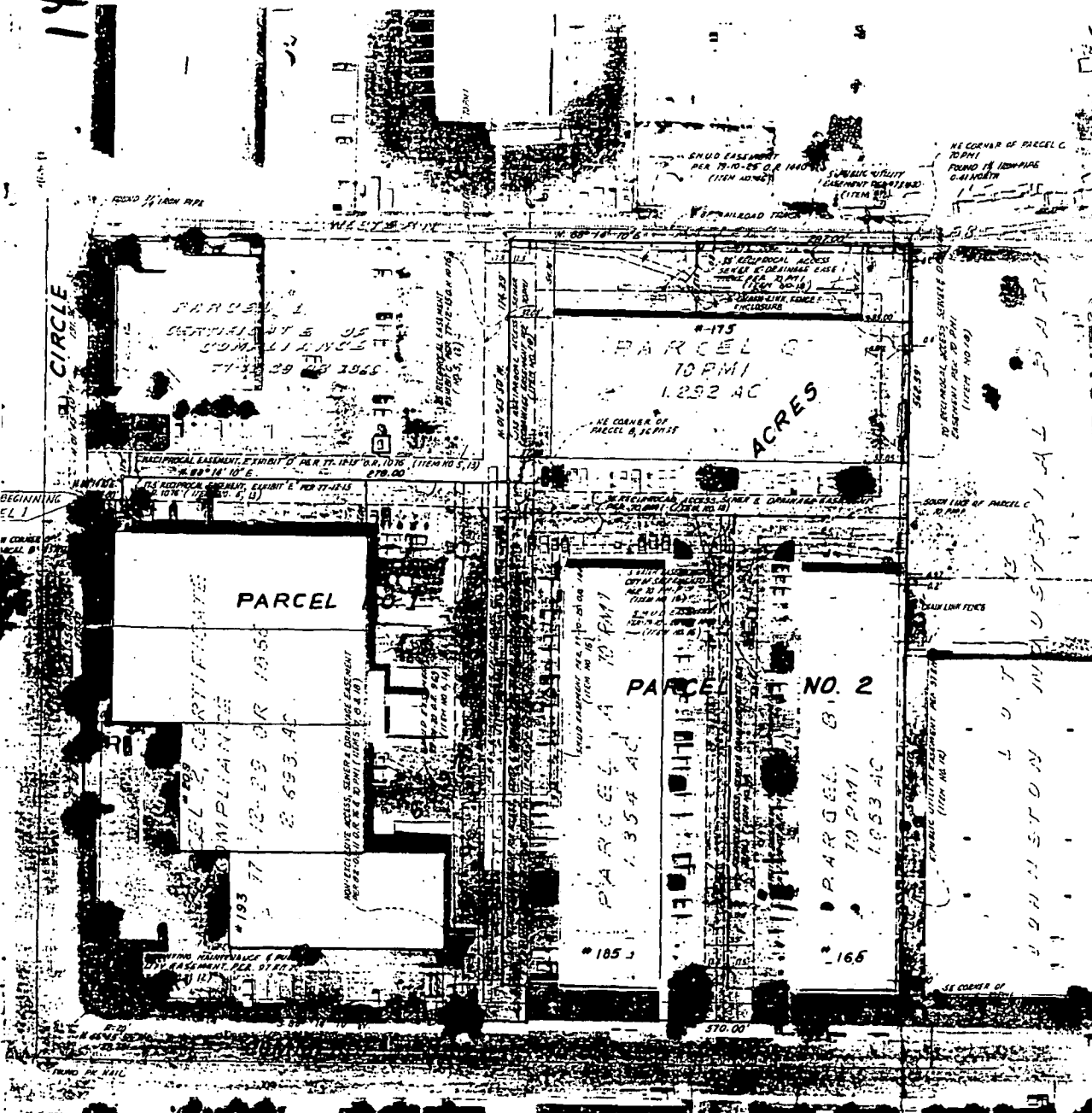
DATE ADOPTED: _____

THE STATE OF TEXAS, COUNTY OF DALLAS, SS. I, _____, a Notary Public in and for said County and State, do hereby certify that _____ is the true and correct copy of the _____ of _____, as the same appears from the records of said County.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said County, at Dallas, Texas, this _____ day of _____, 19____.

Notary Public in and for the County of Dallas, State of Texas

14



NOTES:

- 1. THE LOCATION OF THIS SURVEY IS IDENTIFIED WITH THAT OF THE PARCEL MAP ENTITLED "PARCEL 3 AS RECORDED IN CERTIFICATE OF COMPLIANCE BOOK 77-12-29, PAGE 186," FILED IN BOOK 70 OF PARCEL MAPS, PAGE 1, SACRAMENTO COUNTY RECORDS.
- 2. THE BASIS OF THIS MAP IS A PRELIMINARY TITLE REPORT PREPARED BY NORTH AMERICAN TITLE COMPANY, ORDER NO. 153131 AND DATED AUGUST 3, 1988.
- 3. GEOGRAPHICALLY LOCATABLE ITEMS FROM SAID REPORT (SUCH AS EASEMENTS) WHICH AFFECT THE SUBJECT PROPERTY ARE SHOWN ON THIS MAP AND ARE REFERRED TO SAID REPORT AS FOLLOWS:
 - * REPORT AND ARE AS FOLLOWS:
 - * ITEM 11 REFER TO "AREAS AND OUTSTANDING CHARGES FROM JUDICIAL SEPARATION";
 - * ITEM 12 REFER TO DECLARATION OF RESTRICTIONS AND GRANT OF EASEMENTS;
 - * ITEMS 8 AND 21 REFER TO DEED INTERESTS LOCATED ON THE PROPERTY;
 - * ITEMS 9 AND 22 REFER TO RIGHTS OF PARTIES IN POSSESSION OF SAID LAND;
 - * ITEM 10 REFERS TO A DISCREPANCY IN THE DIMENSION OF THE WESTERLY BOUNDARY OF PARCEL 1;
 - * ITEM 19 REFERS TO AN UNRECORDED LEASE;
 - * ITEM 20 REFERS TO AN ENCROACHMENT OF BUILDING AND PUBLIC UTILITY EASEMENT;
 - * FROM FURTHER PARTICULARS REGARDING THESE ITEMS, REFER TO SAID TITLE REPORT AND/OR THE RECORDED INSTRUMENTS REFERENCED THEREIN.
- 4. THERE ARE 200 STRIPPED UNCOVERED PARKING SPACES ON THE SUBJECT PROPERTY.
- 5. THE PROPERTY IS LOCATED IN "OTHER FLOOD AREAS ZONE #1" AS SHOWN ON FLOOD INSURANCE RATE MAP, CITY OF SACRAMENTO, CALIFORNIA, COMMUNITY-PLANNED NUMBER 060264-0013 D, REVISION FEBRUARY 4, 1988.
 - * "OTHER FLOOD AREAS ZONE #1" DESIGNATED ON SAID MAP IS AREAS OF FLOODING WHICH ARE AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTH OF 1.5 FEET, HAVING AN AVERAGE SURFACE SLOPE LESS THAN 1% SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD.

LEGAL DESCRIPTION:

All that certain real property situate, lying and being in the City of Sacramento, County of Sacramento, State of California, described as follows:

PARCEL NO. 1:

All that portion of Parcel B and C, as said Parcels are shown on that certain Parcel Map entitled "Parcel 2, Junction Industrial Park (Map No. 77-12-29, Page 186)," recorded in Book 35 of Parcel Maps, at page 18, records of Sacramento County, described as follows:

Beginning at the Northwest corner of said Parcel B; thence from said point of beginning along the North line of said Parcel B, the following course: (1) course and distance: 113 North 89° 14' 10" East 25.00 feet; (2) course and distance: 17.50 feet; and (3) North 89° 14' 10" East 210.00 feet; thence South 01° 45' 30" East 363.00 feet; thence North 89° 14' 10" East 17.50 feet to a point located on the East line of Parcel B; thence along the East line of said Parcel B South 01° 45' 30" East 75.00 feet to the Southwest corner of said Parcel B; thence along the South line of said Parcel B, the following two (2) courses and distances: (1) South 89° 14' 10" West 300.50 feet; and (2) Northwesterly, curving to the right on an arc of 20.00 feet radius, said arc being subtended by a chord bearing North 49° 05' 30" West 28.18 feet to the Southwest corner of said Parcel B; thence along the West line of said Parcel B North 01° 45' 30" West 150.00 feet to the point of beginning.

Also as set forth and shown as Parcel 2 in Certificate of Compliance recorded in Book 77-12-29, page 186B, Official Records.

PARCEL NO. 2:

Parcel A, B, and C, as shown on that certain Parcel Map entitled "Parcel 3 as recorded in Certificate of Compliance, Book 77-12-29, page 186B," filed Parcel 10, 1982, in Book 70 of Parcel Maps, Page 1, Sacramento County Records.

LEGEND:

RECORD PER 77-12-29 OR 186B

SURVEYOR'S STATEMENT:

I HEREBY STATE TO THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, ITS SUCCESSORS AND ASSIGNS AND TICO TITLE INSURANCE COMPANY OF CALIFORNIA, THAT THIS IS A TRUE AND CORRECT SURVEY OF THE PROPERTY DESCRIBED HEREON AND SHOWS THE TRUE AND CORRECT LOCATION OF THE BUILDINGS AND IMPROVEMENTS SITUATED ON SUCH LAND AND ALL EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, AND SIMILAR RESTRICTIONS OF RECORD. THE BUILDINGS AND IMPROVEMENTS DO NOT INTERFERE OR ENCROACH UPON ANY EASEMENT OR RIGHTS-OF-WAY OF OTHERS, AND THERE ARE NO ENCROACHMENTS EITHER BY ACCESS, THE PROPERTY LINES EXCEPT AS SHOWN. THE PROPERTY SURVEYED DOES NOT CONSTITUTE AN ILLEGAL SUBDIVISION OF LAND UNDER APPLICABLE STATE, COUNTY OR MUNICIPAL LAW OR ORDINANCE.

I FURTHER STATE THAT THIS SURVEY WAS PREPARED UNDER MY DIRECTION AND WAS MADE IN ACCORDANCE WITH "MINIMUM DETAIL REQUIREMENTS FOR ALTA SURVEY AND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSM IN 1980; AND MEETS THE ACCURACY REQUIREMENTS OF A CLASS "A" SURVEY, AS DEFINED THEREIN.

Harold A. Wecker
HAROLD A. WEAVER LS3013

Date: September 14, 1988

UPDATED
ALTA SURVEY OF

PARCELS A, B & C, 70 PM1 on
PARCEL 2, CERTIFICATE OF COMPLIANCE PER 77-12-29 OR 186B
CITY OF SACRAMENTO CALIFORNIA
AUGUST, 1988 SCALE: 1"=12'

JUN 27 1989



CLIENT: Santa Fe Pacific
2700 WENTWORTH DRIVE EAST, SACRAMENTO CA 95833, PHONE 835-7611

REF: E-6553