



REPORT TO COUNCIL City of Sacramento

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915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org

CONSENT
February 28, 2005

Honorable Mayor and
Members of the City Council

Subject: The Summary Vacation of Portion of an Irrevocable Offer of Dedication of Parcel "E" Shown and Dedicated in the Master Parcel Map of Natomas Crossing, Vacation Proceeding No. VP06-01

Location/Council District:

Northwest corner of Truxel Road and Prosper Street, located in Council District 1 (see Attachment "A", Page 4)

Recommendation:

Adopt the Resolution approving the summary vacation (abandonment) of portion of an Irrevocable Offer of Dedication of Parcel "E".

Contact(s): Jerry Lovato, Senior Engineering Technician, (916) 808-7918; Cesar Narvaez II, Junior Engineer, (916) 808-7873

Presenters: Cesar Narvaez II, Junior Engineer

Department: Development Services Department

Division: Development Engineering

Organization No: 4815

Summary:

Alleghany Properties, owner of the subject Parcel "E", requested this vacation proceeding. Staff finds that the vacation of the portion of an Irrevocable Offer of Dedication of Parcel "E" is in conformance with the State of California Streets and Highways Code Section 8333, because this portion of Parcel "E" (and easement) has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation. Staff recommends approval of this vacation.

Committee/Commission Action:

The City Planning Division has reviewed and determined that the vacation of said Irrevocable Offer of Dedication of Parcel "E" is consistent with the City's General Plan and the North Natomas Community Plan (NNCP) in that the remaining un-vacated portion of Parcel "E" accommodates the future Downtown-Natomas-Airport Light Rail project and supports the General Plan and NNCP policies related to public transportation.

Background Information:

Alleghany Properties, owner of the subject Parcel "E", requested this vacation proceeding. This Parcel "E" was irrevocably offered for dedication to the City of Sacramento for public transportation use. The area being vacated is a portion of Parcel "E" of Parcel Map 155, Page 13, as recorded with the Sacramento County Recorder. The area is approximately 63' x 424' (see Attachment "A", Page 4). The City's General Services Department - Real Estate Division, Development Services Department - Planning Division, and Development Services Department - Development Engineering Division, as well as Sacramento Regional Transit, have all reviewed this proposed vacation. These agencies determined that this vacation is appropriate and does not contradict City policies or planned development in the area. The applicant proposes a retail center on the adjacent parcel to the west, and will utilize the vacated area of Parcel "E" as part of the site layout.

Staff finds that this request for vacation is in conformance with the State of California Streets and Highways Code (S&HC) Section 8333 (a), in that the portion of Parcel "E" (and easement) has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation. Staff recommends the City Council approve this vacation request.

Financial Considerations:

The applicant is responsible for all fees required to process the vacation application and there is no cost to the City.

Environmental Considerations:


The Development Services Department, Environmental Planning Section, has reviewed this project and determined that the activity is exempt under Section 15061 (b) (3) of the California Environmental Quality Act (CEQA) Guidelines. The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Policy Considerations:

The Council action recommended in this report supports the City's 3 Year Strategic Plan Goal to "promote and support economic vitality". The State of California, Streets and Highways Code, Section 8330-8334.5 allows for the vacation of streets, alleys, and easements.

Emerging Small Business Development (ESBD): None.

Respectfully Submitted by: 
Edward Williams
Manager, Development Engineering and Finance

Respectfully Submitted by: 
William A. Thomas
Director of Development, Development Services Department

Recommendation Approved:

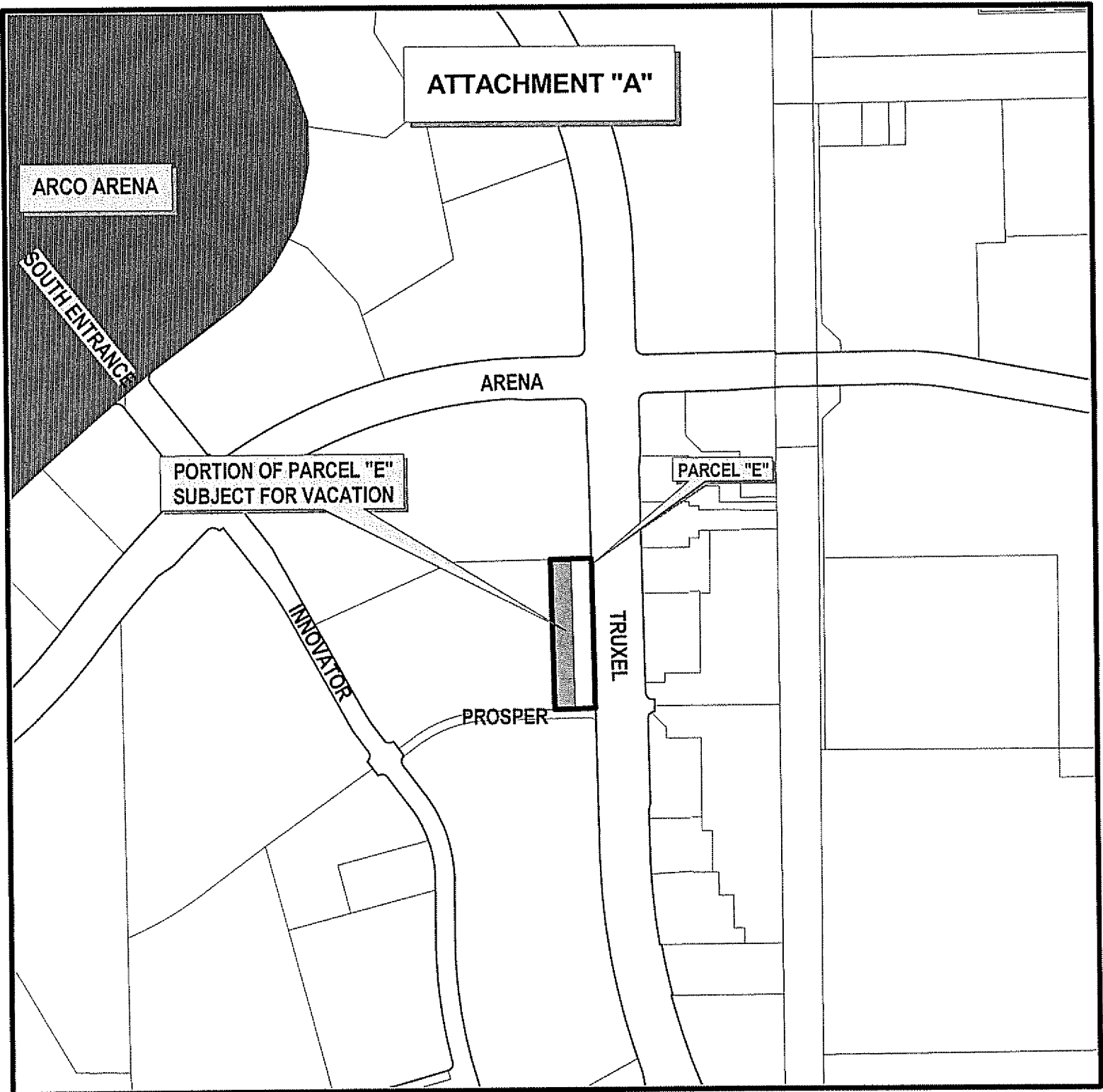


Ray Kerridge
Interim City Manager

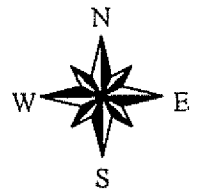
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SUMMARY VACATION, VPO6-01
Portion of an Irrevocable Offer of Dedication
of Parcel "E" shown and dedicated in the
Master Plan of Natomas Crossing



RESOLUTION NO.

Adopted by the Sacramento City Council

**RESOLUTION APPROVING THE SUMMARY VACATION OF PORTION OF AN
IRREVOCABLE OFFER OF DEDICATION OF PARCEL "E", SHOWN AND
DEDICATED IN THE MASTER PARCEL MAP OF NATOMAS CROSSING WITHIN
COUNCIL DISTRICT 1**

VACATION PROCEEDING NO. VP06-01

BACKGROUND

- A. "Alleghany Properties" requested the City to vacate the subject portion of an Irrevocable Offer of Dedication of Parcel "E" located within the City of Sacramento.
- B. The Sacramento City Council will consider this vacation proceeding in accordance to State of California Streets and Highways Code Section 8330-8334.5.
- C. The City of Sacramento Planning Division reviewed this vacation proceeding pursuant to State of California Government Code Section 65402 and concluded that this vacation is consistent with the City's General Plan and applicable Community Plan.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY
COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. Portion of an Irrevocable Offer of Dedication of Parcel "E", specifically described in Exhibit A and Exhibit B of this resolution, is hereby ordered vacated subject to the conditions specified on this resolution.
- Section 2. The City Council has considered this vacation in accordance to State of California Streets and Highways Code Section 8330-8334.5. The City Council finds that the subject portion of Parcel "E" and easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
- Section 3. The City Council finds that the said vacation have been submitted to and reported on by the City's Planning Division and finds that the said vacation is consistent with the City's General Plan and applicable Community Plan.
- Section 4. This vacation is subject to the following condition:

a) The applicant shall apply for and obtain a Certificate of Compliance for Lot Line Adjustment of the subject Parcel "E" and the adjacent parcel immediately to the west.

Section 5. The condition specified in Section 4 of this resolution must be completed within two years of the date of this resolution. If all conditions are not completed within the two years specified, this resolution approving the vacation shall become void, unless the City Council grants a time extension.

Section 6. Once the conditions in Section 4 are met, the City Clerk shall cause a certified copy of this resolution, attested by the City Clerk under seal, to be recorded. The vacation shall be effective when the City Clerk records this resolution with the County Recorder.

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Exhibit A: Legal Description – 1 Page

Exhibit B: Exhibit Plat/Map – 1 Page

**EXHIBIT "A"
PORTION OF THE RT IOD
TAKEN IN FEE AS PARCEL E**

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA BEING A PORTION OF PARCEL E AS SHOWN ON THAT CERTAIN MAP ENTITLED "MASTER PARCEL MAP OF NATOMAS CROSSING" RECORDED IN BOOK 155 OF PARCEL MAPS, AT PAGE 13, OFFICIAL RECORDS OF SACRAMENTO COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

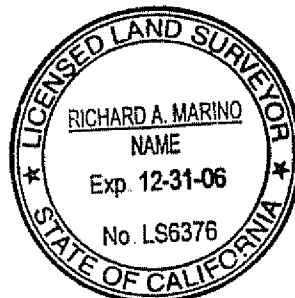
BEGINNING AT A POINT LOCATED ON THE SOUTHERLY LINE OF PARCEL 2 AS SHOWN ON SAID PARCEL MAP, FROM WHICH THE COMMON EASTERLY MOST CORNER OF SAID PARCEL 2 AND E BEARS NORTH 88°53'16" EAST 60.00 FEET; THENCE LEAVING SAID SOUTHERLY LINE THE FOLLOWING FOUR COURSES; (1) SOUTH 01°06'44" EAST 63.13 FEET TO A POINT OF CURVATURE; (2) ALONG THE ARC OF A 2000.00 FOOT RADIUS CURVE TO THE RIGHT SUBTENDED BY A CENTRAL ANGLE OF 04°09'09" AN ARC LENGTH OF 144.95 FEET TO A POINT OF REVERSE CURVATURE; (3) ALONG THE ARC OF A 2000.00 FOOT RADIUS CURVE TO THE LEFT SUBTENDED BY A CENTRAL ANGLE OF 04°09'09" AND ARC LENGTH OF 144.95 FEET TO A POINT OF TANGENCY; AND (4) SOUTH 01°06'44" EAST 98.23 FEET TO A POINT LOCATED ON THE NORTHERLY LINE OF PARCEL 11 AS SHOWN ON SAID PARCEL MAP; THENCE ALONG SAID NORTHERLY LINE SOUTH 88°53'16" WEST 52.49 FEET; THENCE LEAVING SAID NORTHERLY LINE NORTH 01°06'44" WEST 451.00 FEET TO A POINT LOCATED IN SAID SOUTHERLY LINE OF PARCEL 2; THENCE ALONG SAID SOUTHERLY LINE NORTH 88°53'16" EAST 63.00 FEET TO THE POINT OF BEGINNING.

END OF DESCRIPTION

SEE EXHIBIT "B", PLAT TO ACCOMPANY DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION PURSUANT TO SECTION 8729(2) OF THE PROFESSIONAL LAND SURVEYORS ACT.

Richard A. Marino
Richard A. Marino P.L.S. 6376
Expires December 31, 2006



12/16/05
Date

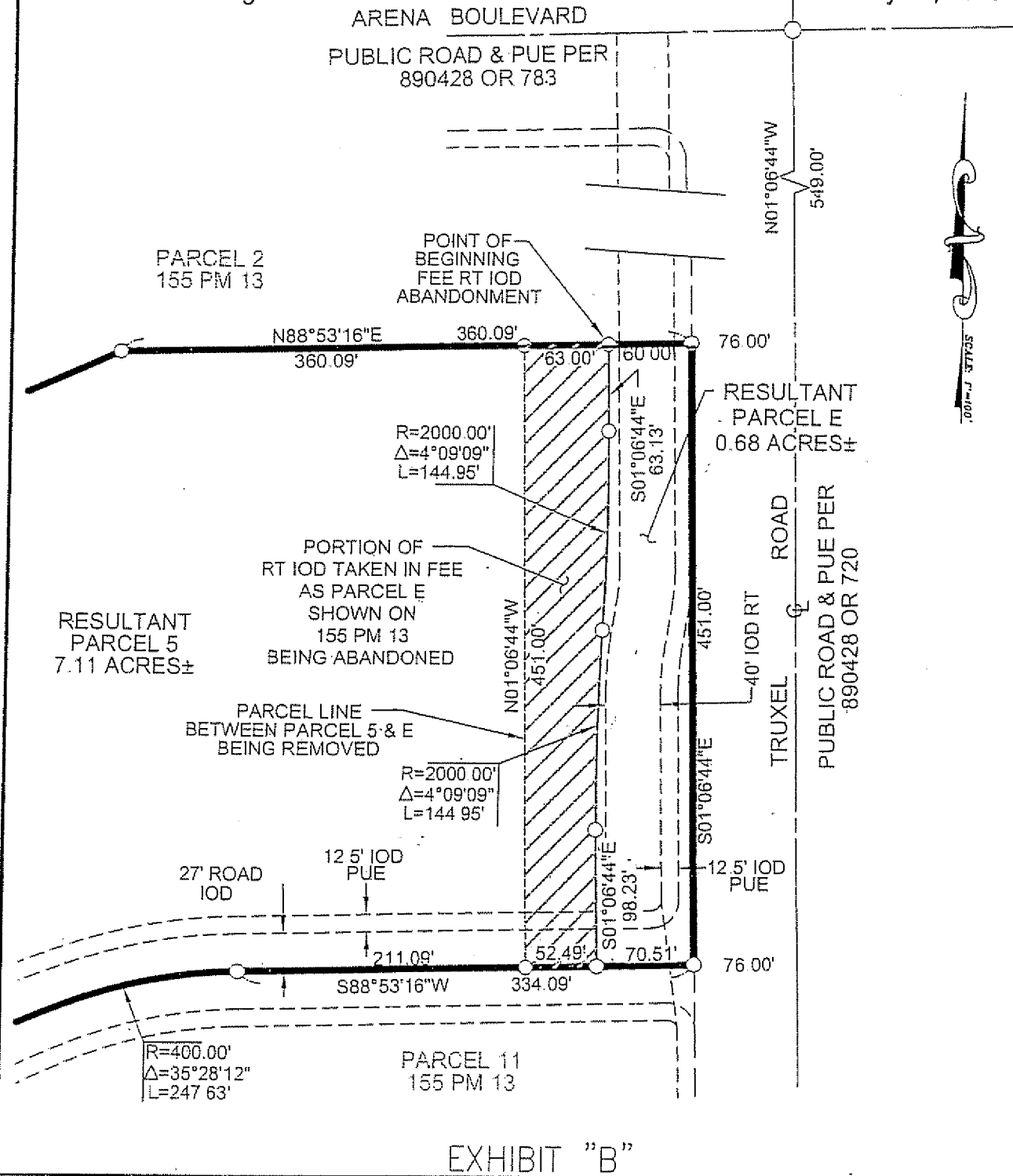


EXHIBIT "B"

PRECISION LAND SURVEYING, INC. 8850 AUBURN FOLSOM ROAD, GRANITE BAY, CA. P.O. BOX 1042 FOLSOM, CA. 95763-1042 (916) 789-2006	DRAWN BY: BT	DATE: 12/13/05
	DESIGNED BY:	FILE:
	APPROVED BY: RAM	SCALE: 1" = 100'
	REVISED:	JOB NO. 0388

