



City Council Report

915 I Street, 1st Floor

Sacramento, CA 95814

www.cityofsacramento.org

File ID: 2019-00493

May 14, 2019

Consent Item 23

Title: Administrative Matter: Rescind Resolution No. 2019-0040 and Adopt Resolution for Summary Vacation of the Public Utility Easements at 2601 Redding Avenue, Within Council District 6 Proceeding No. VAC18-0008

Location: 2601 Redding Avenue, District 6

Recommendation: Adopt a Resolution: 1) vacating multiple public utility easements at 2601 Redding Avenue to accommodate new construction of student housing units known at The Retreat at Sacramento; and 2) rescinding Resolution No. 2019-0040.

Contact: Jair Bautista, Engineering Technician, (916) 808-7929; Jennifer Johnson, Supervising Engineer, (916) 808-7754; Nader Kamal, Interim Engineering Services Manager, (916) 808-7035, Department of Public Works.

Presenter: None

Attachments:

1-Description/Analysis

2-Resolution

Description/Analysis

Issue Detail: On February 5, 2019, the City Council approved Resolution No. 2019-0040 to vacate the public utility easements at 2601 Redding Avenue to accommodate new construction of student housing. Through an oversight, the legal description and plat attachments were not signed by a licensed surveyor. The attached resolution includes the proper signed documents and will replace Resolution No. 2019-0040.

Policy Considerations: The action recommended in this report is consistent with the Sacramento 2035 General Plan and is in compliance with the California Streets and Highways Code Sections 8300-8333, particularly Section 8333 (c) in that the easement proposed to be vacated is an excess easement and there are no public facilities located within the easement.

Economic Impacts: None

Environmental Considerations: The Community Development Department, Environmental Planning Services Division has reviewed this vacation/abandonment of the public utility easements and determined that this is exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15305, Minor Alteration in Land Use Limitation. The project consists of the minor alteration in land use limitations with an average slope of less than 20%, which do not result in any changes in land use or density.

Sustainability: Not applicable

Commission/Committee Action: None

Rationale for Recommendation: Approval of this vacation request will facilitate the construction of new single-family housing units. City staff, along with various agencies, supports the vacation request.

Financial Considerations: The applicant is responsible for all fees required to process this application at no cost to the City.

Local Business Enterprise (LBE): Not applicable

RESOLUTION NO. 2019-

Adopted by the Sacramento City Council

May 14, 2019

**Summary Vacation of the Public Utility Easements at 2601 Redding Avenue,
Within Council District 6 Proceeding No. VAC18-0008**

BACKGROUND

- A. Easements for public roads as depicted in the Map “Brighton Townsite” (8 B.M. 6) were vacated with public utility reservations per 2273 O.R. 204.
- B. The vacation of said public utility easements is being requested to facilitate the new construction project of multi-family units known as “The Retreat at Sacramento.”
- C. LCD Acquisitions, LLC, on behalf of the property owner of 2601 Redding Ave, is requesting the vacation of said public utility easements that are within said lot.
- D. The City of Sacramento’s Planning Director reviewed this vacation proceeding pursuant to Sacramento City Code 17.912.030 and State of California Government Code Section 65402 and concluded that this vacation is consistent with the City of Sacramento’s General Plan.

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

- Section 1. The public utility easements within 2601 Redding Avenue, more specifically described in Exhibits A and B of this Resolution, are vacated.
- Section 2. The vacation of the public utility easements, more specifically described in Exhibits A and B, is made pursuant to the State of California Streets and Highways Code, Division 9, Part 3, Chapter 4, Section 8333 (c) which provides the legislative body may summarily vacate an easement that is determined to be excess easement and there are no public facilities located within the easement.
- Section 3. The City Council finds that the vacation has been submitted to and reported on by the City of Sacramento’s Planning Director and finds that

the vacation is consistent with the City of Sacramento's 2035 General Plan.

Section 4. Once this Resolution has been approved, the City Clerk shall cause a certified copy of this Resolution, attested by City Clerk under seal to be recorded. The vacation shall be effective when a City designee records this Resolution in the office of the County Recorder.

Section 5. Exhibits A and B are incorporated into and made part of this resolution.

Section 6. Resolution No. 2019-0040 is hereby rescinded.

Table of Contents:

Exhibit A - Legal Description of Area to be Vacated

Exhibit B - Plat of Area to be Vacated

EXHIBIT "A"
LEGAL DESCRIPTION
Page 1 of 1

Public Utilities Easement Abandonment

LEGAL DESCRIPTION

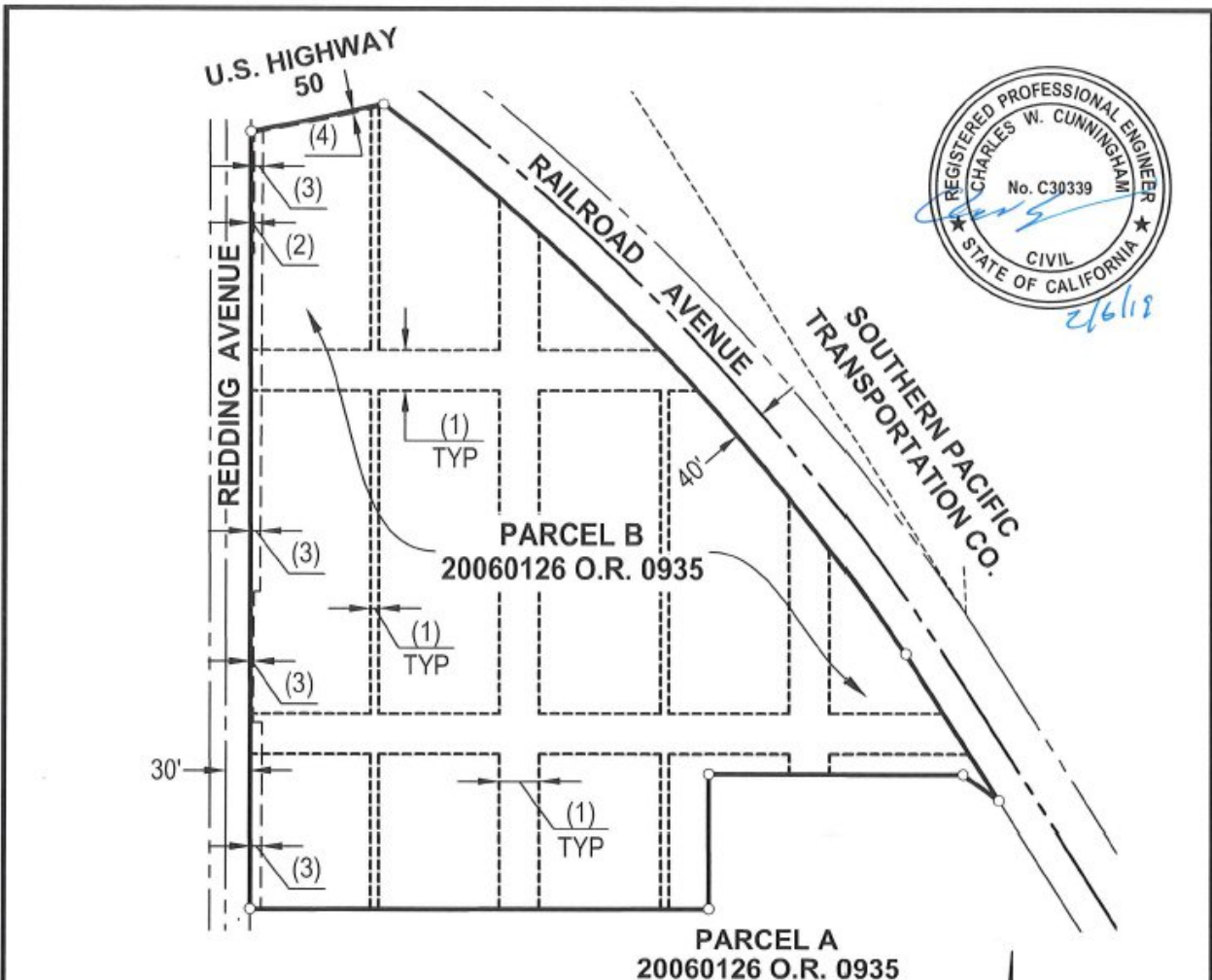
All of that certain Public Utilities Easement reserved in Instrument 2273 O.R. 204, lying within Parcel B per 20060126 O.R. 0935, Sacramento County Official Records, California.

See Exhibit B plat to accompany description, attached hereto and made a part hereof.

End of Description

PREPARED BY: CUNNINGHAM ENGINEERING CORP.
FEBRUARY 2019



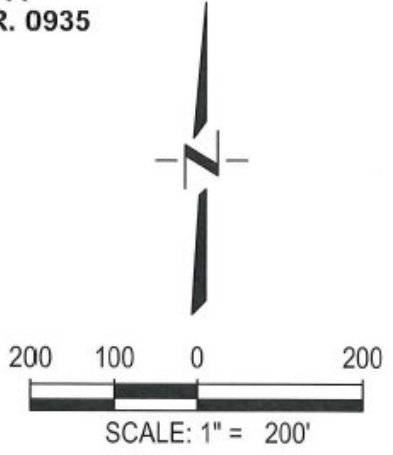


EASEMENTS BEING ABANDONED:

- (1) PUBLIC UTILITIES EASEMENT PER 2273 O.R. 204, SACRAMENTO COUNTY RECORDS.

EASEMENTS TO REMAIN:

- (2) PUBLIC ROAD AND UTILITY EASEMENT PER 800522 O.R. 650, SACRAMENTO COUNTY RECORDS.
- (3) EASEMENT FOR PUBLIC PURPOSES PER 20090617 O.R. 0276, SACRAMENTO COUNTY RECORDS.
- (4) RELINQUISHMENT OF INGRESS/EGRESS RIGHTS AND WAIVER OF DAMAGE CLAIMS PER 700127 O.R. 489.



CECWEST.COM



Corporate Office -
2940 Spafford Street
Suite 200
Davis, CA 95618
(530) 758-2026

Sacramento Office -
2120 20th Street
Suite Three
Sacramento, CA 95818
(916) 455-2026

1710

EXHIBIT B
EASEMENT ABANDONMENT
WITHIN PARCEL B AS SHOWN ON THAT CERTAIN LOT LINE
ADJUSTMENT RECORDED IN BOOK 20060126 AT PAGE
0935, SACRAMENTO COUNTY RECORDS
CITY OF SACRAMENTO CALIFORNIA

SCALE:
1"= 200'

DATE:
02/06/19

SHEET:
1 OF 1