

# RESOLUTION NO. 2004-562

ADOPTED BY THE SACRAMENTO CITY COUNCIL

JUN 29 2004

ON DATE OF: \_\_\_\_\_

**THE VACATION (ABANDONMENT) OF THE 6-FOOT WIDE PUBLIC UTILITY EASEMENT AND THE 10-FOOT WIDE & 25-FOOT WIDE AIR AND LIGHT EASEMENT LOCATED IN THE PROPERTIES SOUTH OF 4370 24<sup>TH</sup> STREET, NORTH OF 19<sup>TH</sup> AVENUE BETWEEN 24<sup>TH</sup> STREET AND ATTAWA AVENUE WITHIN COUNCIL DISTRICT 5 VACATION PROCEEDING NO. VP04-01**

## **BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:**

- A. WHEREAS, the City received a request from Mr. Chris Brocchini to vacate the subject public utility easement and air and light easements within the City of Sacramento; and
- B. WHEREAS, the City Council would consider the vacation in compliance with the State of California, Streets and Highways Code, Section 8310-8317, and
- C. WHEREAS, the City Planning Commission reviewed the proposed vacation pursuant to Government Code Section 65402 and concluded that said vacation would be consistent with the City General Plan and the applicable Community Plan; and

## **BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:**

The 6-foot wide public utility easement and the 10-foot wide & 25-foot wide air and light easements located at properties located south of 4370 24<sup>th</sup> Street, North of 19<sup>th</sup> Avenue and between 24<sup>th</sup> Street and Attawa Avenue within in Council District 5, specifically described in Exhibit "A" and Exhibit "B" respectively, and shown in Exhibit "C" attached hereto, is hereby ordered vacated subject to the conditions specified in this resolution.

- 1. The City Council hereby finds that said vacation has been submitted to and reported on by the City Planning Commission as to conformity with the City General Plan. The Council, pursuant to the State of California, Streets and Highways Code, Section 8310-8317 has considered this vacation in connection with the General and Community Plans and finds the vacation is consistent.
- 2. This vacation is subject to the following conditions:
  - a. The applicant shall provide the Department of Development Services proof that the lot merger of the properties with Assessor's Parcel Numbers 018-0063-001, 018-0063-002, 018-0063-003, 018-0063-004, 018-0063-005 and

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018-0063-006 has been completed and recorded with the County Recorder's Office.

- b. With the vacation of the 10-foot wide and 25-foot wide air and light easements, the applicant shall conform with the applicable zoning setback requirements set forth by the Sacramento City Code (Title 17) to the satisfaction of the Department of Development Services.
3. All conditions specified in paragraph 2 of this resolution must be completed within two years of the date of this resolution. If all the 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.
4. Once the conditions in paragraph 2 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.

  
MAYOR

ATTEST:

  
CITY CLERK

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Exhibit "A"

The land described herein is situated in the state of California, County of Sacramento, City of Sacramento, and is described as follows:

Right of ways and easements for water, gas, sewer pipes and for poles and overhead and underground wires for electric and telephone service together with all appurtenances appertaining, thereto on over across the Northerly 6 feet of lots 37,38, 39, 40 and 41 of the "plat of South College Tract" recorded in Book 25 of Maps, Map number 10 Sacramento County records.



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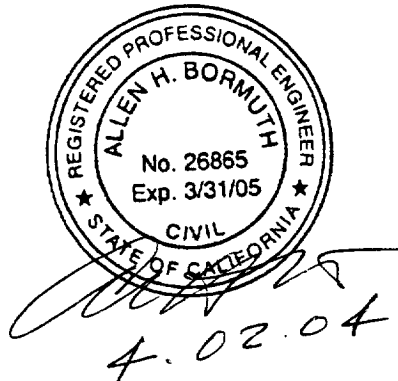
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Exhibit "B"

The land described herein is situated in the state of California, County of Sacramento, City of Sacramento, and is described as follows:

Easements for light and air over and across the Southerly 25 feet of lots 37, 38, 39, 40, and 41 and the Easterly 10 feet of lot 41 and the Westerly 10 feet of lot 37 of the "plat of South College Tract" recorded in Book 25 of Maps, Map number 10 Sacramento County records.



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# EXHIBIT "C"



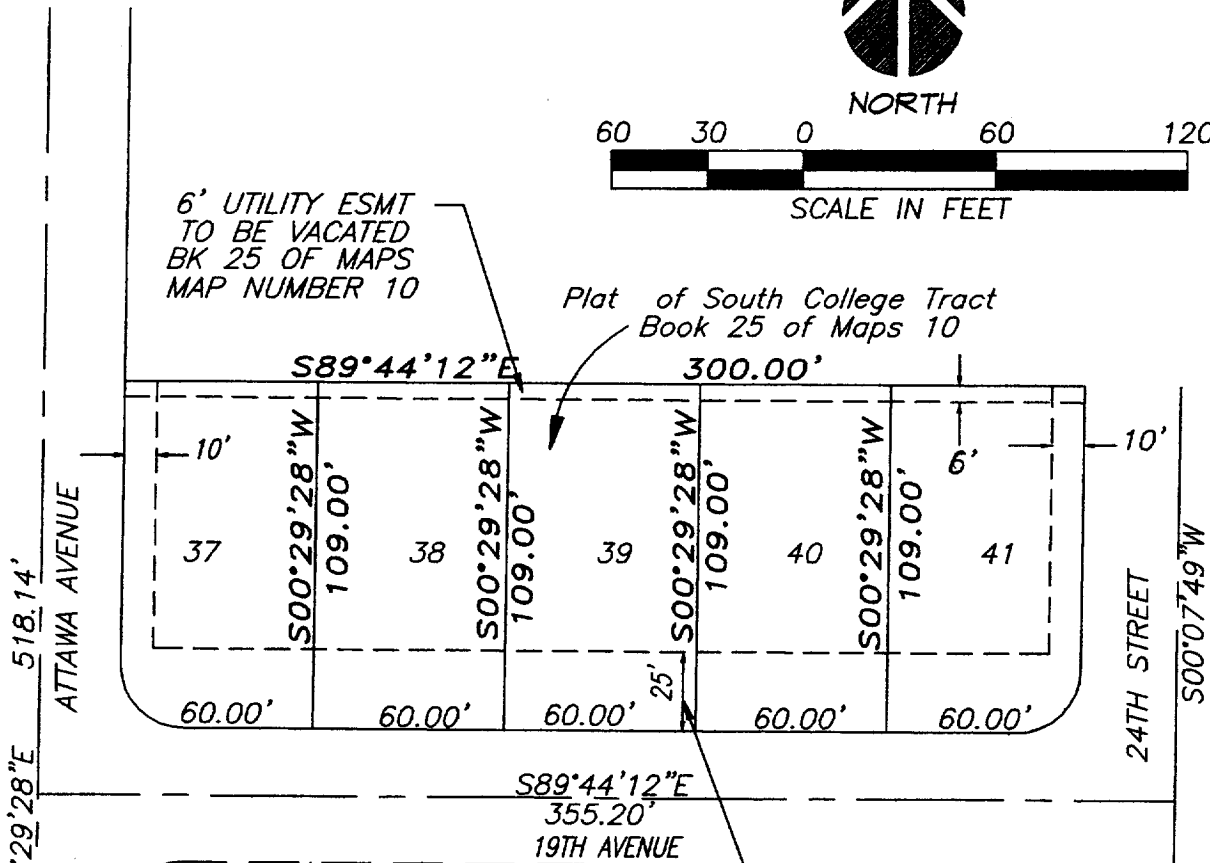
NORTH



SCALE IN FEET

6' UTILITY ESMT  
TO BE VACATED  
BK 25 OF MAPS  
MAP NUMBER 10

Plat of South College Tract  
Book 25 of Maps 10



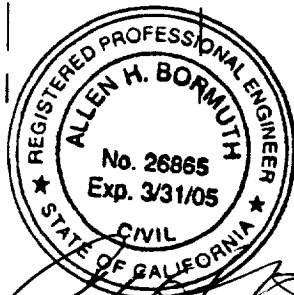
N00°29'28"E 518.14'

ATTAWA AVENUE

24TH STREET

S00°07'49"W

S89°44'12"E  
355.20'  
19TH AVENUE



*[Signature]*  
4.02.03

LIGHT & AIR EASEMENT  
TO BE VACATED  
BK 25 OF MAPS MAP  
NUMBER 10

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