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CITY OF SACRAMENTO

December 28th, 1982

DEPARTMENT OF ENGINEERING

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CITY MANAGER'S OFFICE
RECEIVED
DEC 22 1982

J.F. VAROZZA
CITY ENGINEER
M.H. JOHNSON
ASSISTANT CITY ENGINEER

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Hearing on the Resolution of Intention to Abandon
25th Street Between 51st And 52nd Avenues,
Abandonment Proceeding No. 5292

SUMMARY:

A Hearing has been set for this date on the proposed abandonment of 25th Street between 51st and 52nd Avenues. Approval of the abandonment is recommended.

BACKGROUND INFORMATION:

A petition has been received from the property owners abutting 25th Street between 51st and 52nd Avenues to abandon that portion of 25th Street between 51st Avenue and 52nd. The 25th Street alignment was originally approved on the plat of "Cordova Townsite" subdivision, but the street improvements were never installed. Other sections of 25th Street have been approved for abandonment.

The Sacramento Municipal Utility District and City Water and Sewer Division have no objections to the abandonment provided that easements and a continuing use clause are incorporated in the abandonment ordinance. The Pacific Gas and Electric Company, Pacific Telephone and Telegraph Company and the City Traffic Engineer have no objection to the proposed abandonment. The City Planning Commission has reviewed the proposed abandonment and has found it consistent with the City General Plan and the Airport Community Plan.

APPROVED
BY THE CITY COUNCIL

DEC 28 1982

OFFICE OF THE
CITY CLERK

FINANCIAL DATA

No City funds are to be expended for this abandonment.

RECOMMENDATION

As no protests have been received and if none are presented at the Hearing, it is recommended that the Hearing be closed and the Council approve the Engineer's Report and adopt the attached Resolution which is the final order in the proceedings.

Respectfully submitted,

for M. Varozza
John F. Varozza
City Engineer

Recommendation Approved:

Walter J. Slipe
Walter J. Slipe
City Manager

JFV:IEM:bb
Attachment
File #5292

December 28th, 1982
DISTRICT NO. 7

RESOLUTION No. 82-911

Adopted by The Sacramento City Council on date of

DECEMBER 28, 1982

RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING THE VACATION AND ABANDONMENT OF 25TH STREET BETWEEN 51ST AND 52ND AVENUES ABANDONMENT PROCEEDING NO. 5292

WHEREAS, the City received a Petition to Vacate from owners of property within the City of Sacramento, requesting a public hearing before the City Council to consider abandoning and vacating a public street. Said petition and these proceedings comply with the Public Streets, Highways, Service Easements Vacation Law, California Streets and Highways Code S8300 et seq.

WHEREAS, the City Planning Commission on September 23rd, 1982 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;

WHEREAS, notice that the City Council would consider the proposed vacation at a public hearing was given in compliance with California Streets and Highways Code Sections 8322 and 8323.

WHEREAS, a public hearing to consider the proposed vacation was held before the City Council at the hour of 7:30 o'clock P. M. on December 28th, 1982 in the Council Chambers of the City Council of the City of Sacramento, in the City Hall on I Street between 9th and 10th Streets in said City, and the City Council heard all evidence offered by any and all parties interested in the proposed vacation.

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

- 1. The public street located in the City of Sacramento, County of Sacramento, State of California, and specifically described below is hereby ordered vacated:

APPROVED
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All that portion of 25th Street lying between the Southerly right of way line of 51st Avenue and the Northerly right of way line of 52nd Avenue, as shown on the official plat of Cordova Townsite. EXCEPTING THEREFROM the 20 foot wide East/West Alley between 24th Street and Woodbine Avenue as shown on said map, which shall remain a public right of way. RESERVING HOWEVER, the right of entry to repair, maintain and construct sewer, water and gas pipes, and aerial or underground power, telephone and other communication facilities now in place in said Street or which from time to time may be placed therein. All proceedings in connection with the aforesaid abandonment are to be taken subject to such reservations and exceptions.

(A map or plan of the proposed abandonment is on file in the office of the City Engineer.)

2. The above described Street is unnecessary for present or prospective public use in that:

- a. The parcels adjacent to the abandoned street described above have other access and said abandonment will not create any land locked parcels.
- b. It's abandonment will not interfere with the traffic flow in the area.
- c. It will not affect the aesthetics of the neighborhood.

3. The City Clerk shall cause a certified copy of this resolution, attested by the City Clerk under seal, to be recorded.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT "A"
CITY COUNCIL OF THE CITY OF SACRAMENTO
December 28th, 1982

In the Matter of Abandonment)
Proceeding No. 5292, Abandonment) ENGINEER'S REPORT
of 25th Street Between 51st and)
52nd Avenues)

A Public Hearing is scheduled for this date pertaining to the proposed abandonment of 25th Street between 51st and 52nd Avenues.

This proposed abandonment has been undertaken because of the following facts:

1. A request from the abutting property owners was presented to the City Council on December 7th, 1982.
2. That on December 7th, 1982, the City Engineer presented to the Council the Resolution of Intention for the abandonment for approval. On that date, the Council did approve said Resolution of Intention, which set a Hearing date on the abandonment for this date.
3. That on December 8th, 1982, a copy of the Resolution of Intention was mailed to the persons petitioning the Council for said abandonment notifying them of the Hearing set for this date.
4. That on December 10th and December 17th, 1982, the Resolution of Intention was published in The Daily Recorder

and posted on the bulletin board outside the City Clerk's office.

5. That on December 13th, 1982, Notices were posted along the proposed abandonment.

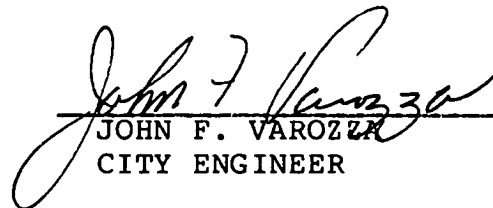
6. The abandonment would consist of abandoning 25th Street Between 51st Avenue and 52nd Avenue, except for the 20 foot wide public right of way comprising a portion of the East/West Alley between 24th Street and Woodbine Avenue.

The purpose for the abandonment is to eliminate the unimproved portion of the public right of way which is not being used by the City of Sacramento.

7. That the various utility companies (SMUD, PT & T. and PG & E) have submitted letters stating they have no objection to the abandonment provided that easements and a continuing use clause are incorporated in the abandonment.

8. It is my opinion that said abandonment will not affect the aesthetics of the neighborhood or cause any undue hardship on the City.

Executed this 28th day of December, 1982.



JOHN F. VAROZZA
CITY ENGINEER