

RESOLUTION NO. 2004-095

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF FEB 17 2004

RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING THE SUMMARY VACATION OF THE EXCESS PUBLIC ROAD RIGHT-OF-WAY LOCATED AT THE NORTHEAST CORNER OF BELL AVENUE AND NORWOOD AVENUE WITHIN COUNCIL DISTRICT 2 (VACATION PROCEEDING NO. VP03-22)

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

- A. WHEREAS, the City received a request from the "Morningside Creek LLC" to vacate the subject excess public road right-of-way 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 8330-8336, 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 excess public road right-of-way located at the northeast corner of the intersection of Bell Avenue and Norwood Avenue, is hereby ordered vacated subject to the conditions specified in this resolution.

Reserving however, a public service easement (as defined in Section 8306 and 8340 of the California Streets and Highways Code) and right at any time, or from time to time to construct, maintain, operate, replace, remove, or renew any public service facilities in, upon, or over and across that subject excess public road right-of-way to be vacated, specifically described in Exhibit "A" and shown in Exhibit "B" attached hereto.

A map of the proposed vacation is attached as Exhibit "B" and is on file with the Department of Public Works, Development Services Section, located at 1231 I Street, Room 200.

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 8330-8336 has considered this vacation in connection with the General and Community Plans and finds the vacation is consistent.

FOR CITY CLERK USE ONLY

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2. 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.

Heather Fargo
MAYOR

ATTEST:

Shirley Concolino
CITY CLERK

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EXHIBIT A

LEGAL DESCRIPTION

All that certain real property situated in the City of Sacramento, County of Sacramento, State of California, described as follows:

All that portion of land in the northeasterly portion of the intersection of Norwood Avenue and Bell Avenue as shown on the official Plat of Glenwood Park Unit No. 2, filed in the office of the County Recorder of Sacramento County, on February 14, 1961, in Book 64 of Maps, Map No. 5, described as follows:

Beginning at a point on the north line of Bell Avenue from which the southeast corner of Lot F, as shown on said plat, bears North 89° 02' 30" East 388.01 feet, said point also being on the south line of said Lot F; thence from said point of beginning along the prolongation of said north line South 89° 02' 30" West 205.04 feet; thence along a curve concave northeasterly having a radius of 27.33 feet and an arc length of 42.54 feet, subtended by a chord bearing North 46° 22' 00" West 38.37 feet to a point parallel to and 40.00 feet distant, measured at right angles, from the center line of Norwood Avenue; thence along said parallel line North 01° 46' 30" West 205.04 feet to a point on the westerly line of said Lot F, said point also being on the easterly line of Norwood Avenue; thence coincident with the southwesterly line of Lot F along a curve concave northeasterly having a radius of 235.32 feet and an arc length of 366.28 feet, subtended by a chord bearing South 46° 22' 00" East 330.41 feet to the point of beginning containing 11,339.573 square feet, more or less.



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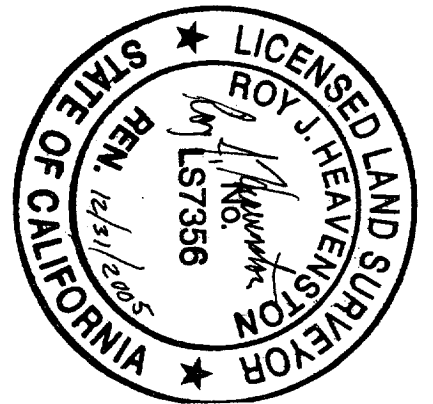
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EXHIBIT B

64-BM-5

LOT F



TOTAL AREA=11,339.573 SQ. FT.
= 0.2603 ACRE

$R=235.32'$
 $\Delta=89^{\circ}11'00''$
 $L=366.28'$
 $S\ 46^{\circ}22'00''E\ 330.41'$

$R=27.33'$
 $\Delta=89^{\circ}11'00''$
 $L=42.54'$
 $N\ 46^{\circ}22'00''W\ 38.37'$

SCALE:
1"=60'



NORWOOD AVENUE

BELL AVENUE

POINT OF BEGINNING

40'

388.01'

S 89°02'30"W 205.04'

38.37'

N 01°46'30"W 205.04'

AUG. 2002

PLAT MAP
CITY OF SACRAMENTO

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