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CITY OF SACRAMENTO

August 31st, 1982

REAL ESTATE AND STREET ASSESSMENTS DIVISION
915 J STREET
CITY HALL ROOM 207

SACRAMENTO, CALIFORNIA 958
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CITY MANAGER'S OFFICE

RECEIVED
AUG 25 1982

IRVIN E. MORAES
REAL ESTATE SUPERVISOR

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Hearing on Abandonment of the Alley between 24th Street and Attawa Avenue from the Southerly right-of-way line of 16th Avenue and the South Boundary line of Terminal Tract, Abandonment Proceeding No. 5271.

BACKGROUND INFORMATION

On August 10th, 1982, the City Council adopted its Resolution of Intention to abandon the Alley between 24th Street and Attawa Avenue from 16th Avenue to the Southerly boundary of the Terminal Tract Subdivision, subject to the reservation of an easement for public utilities.

The abandoned Alley is to facilitate future parcel mergers and provision of water service needed for fire protection in the adjacent commercial establishments. Attached is the Engineer's Report in the matter of said abandonment.

The City Clerk advises that no protests have been received.

RECOMMENDATION

It is recommended that the Hearing be closed and the Resolution Vacating this public easement be adopted.

Respectfully submitted,

M. J. Johnson
for John F. Varozza
City Engineer

Recommendation Approved

Walter J. Slupe
Walter J. Slupe
City Manager

August 31st, 1982
DISTRICT NO. 5

APPROVED
BY THE CITY COUNCIL

AUG 31 1982

OFFICE OF THE
CITY CLERK

JFV:IEM:yg

RESOLUTION NO. ~~86~~ 82-621

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AUGUST 31ST, 1982

VACATING PUBLIC EASEMENT PURSUANT TO THE PUBLIC STREETS, HIGHWAYS AND SERVICE EASEMENT VACATION LAW OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FOR ABANDONMENT PROCEEDING NO. 5271

WHEREAS, a petition has been filed with the City Council of the City of Sacramento requesting vacation of the public streets hereinafter described by vacating a portion of the Alley between 24th Street and Attawa Avenue from 16th Avenue to the Southerly boundary line of the Terminal Tract, as shown on the official plat of Terminal Tract, filed in Book 11 of Maps, Map No. 14, Official Records of Sacramento County; and

WHEREAS, this Council did fix the 31st day of August, 1982, at the hour of 7:30 o'clock P.M. of said day, in the Council Chambers of the City Council of the City of Sacramento in the City Hall on I Street between 9th & 10th Streets of said City, as the time and place for hearing and petition and did give due notice thereof as required pursuant to the Public Streets, Highways and Service Easement Vacation Law of the Streets and Highways Code of the State of California; and

WHEREAS, the said City Council has adopted a Resolution of Intention to vacate the Alley hereinafter described pursuant to Resolution No. _____, adopted by the City Council on August 3rd, 1982; and

WHEREAS, said City Council did hear the evidence offered by any and all parties interested in said petition; and

WHEREAS, said vacation is declared after due processings had therefor according to law and the finding by the City Council which is hereby made, that said Streets are unnecessary for present or prospective use.

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

That this Council has heretofore adopted it's Finding of Facts and the same is attached hereto and marked Exhibit "A" and incorporated by reference herein.

APPROVED
BY THE CITY COUNCIL

AUG 31 1982

OFFICE OF THE
CITY CLERK

That the hereinafter described public easements in the City of Sacramento, County of Sacramento, State of California be, and the same are hereby ordered vacated:

All that portion of the Alley between 24th Street and Attawa Avenue from the Southerly right of way line of 16th Avenue to the Southerly boundary line of the Terminal Tract, as shown on the official plat of Terminal Tract, filed in Book 11 of Maps, Map No. 14, Official Records of Sacramento County. 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 Streets, 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.

IT IS FURTHER ORDERED that a copy of this order, attested by the Clerk of this Council, be recorded in the office of the Recorder of the County of Sacramento.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THIS 31ST DAY OF AUGUST, 1982.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT "A"
August 31st, 1982

In the Matter of Abandonment)
Proceeding No. 5271, Abandonment)
of Alley between 24th Street and)
Attawa Avenue, bounded by 16th)
Avenue and South Boundary of)
Terminal Tract Subdivision)

FINDING OF FACTS

The Council of the City of Sacramento, having considered the testimony and documentary evidence provided at the public hearing heard on August 31st, 1982, and taking notice of all documents, reports, plans and studies previously submitted to it relating to said abandonment, makes the following findings:

1. The abandonment of said Alley will not interfere with circulation of traffic in the area.
2. Said Alley is unnecessary for present for prospective public street purposes.
3. The abandonment of said Alley will facilitate future parcel merger and provision of water service for fire protection in the adjacent commercial establishments.
4. That the Alley to be abandoned was posted by the City Engineer on _____, 1982.
5. That the City Clerk published the Resolution of Intention for said abandonment on August 13th and 20th, 1982.
6. That there were no oral or written protest presented at said Hearing.

7. That it is the opinion of the City Council that said abandonment will not affect the traffic circulation or aesthetics of the neighborhood.

Adopted August 31st, 1982

MAYOR

ATTEST:

CITY CLERK

August 31st, 1982

CITY COUNCIL OF THE CITY OF SACRAMENTO

In the Matter of Abandonment)
of Alley between 24th Street)
and Attawa Avenue from 16th)
Avenue to the South Boundary)
line Terminal Tract)

ENGINEER'S REPORT

A Public Hearing is scheduled for this date pertaining to the proposed abandonment of the Alley between 24th Street and Attawa Avenue from 16th Avenue and the southerly boundary line of Terminal Tract. This proposed abandonment has been undertaken due to the following facts:

1. A petition from the property owners was presented to Council August 10th, 1982.
2. That on August 10th, 1982, the City Engineer presented to 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. The abandonment would consist of abandoning the Alley between 24th Street and Attawa Avenue from the Southerly line of 16th Avenue to the Southerly boundary line of Terminal Tract, subject to certain reservations for public utilities. The purpose for the abandonment is to facilitate future parcel merger and provision of water service needed for fire protection in the adjacent commercial establishments.
4. That on August 13th & 20th, 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 August 16, 1982, notices were posted along the proposed abandonment.

6. It is my opinion that said abandonment will not be detrimental to the neighborhood.

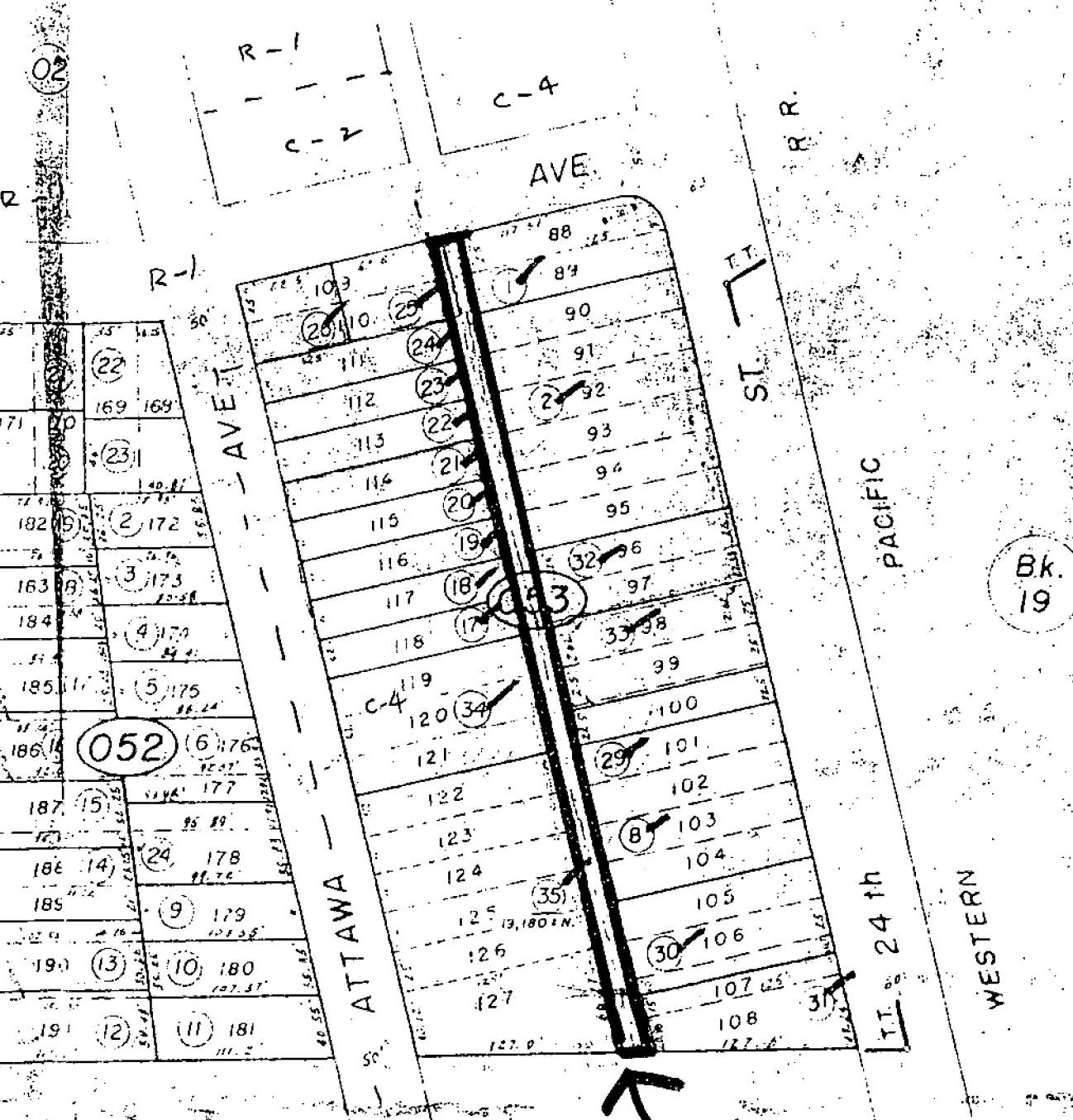
Executed this 31st day of August, 1982.

JOHN F. VAROZZA
CITY ENGINEER

LETON & TERMINAL TRACT

018-05

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C-4 PROPOSED
ALLEY ABANDONMENT

M-668

6-10-82

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