

RESOLUTION NO. 2019-0040

Adopted by the Sacramento City Council

February 5, 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 student housing 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 the City Clerk 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.

Table of Contents:

Exhibit A - Legal Description of Area to be Vacated

Exhibit B - Plat/Map of Area to be Vacated

Adopted by the City of Sacramento City Council on February 5, 2019, by the following vote:

Ayes: Members Ashby, Carr, Guerra, Hansen, Harris, Jennings, Schenirer, Warren and Mayor Steinberg

Noes: None

Abstain: None

Absent: None

Attest:

Mindy Cuppy

Digitally signed by Mindy Cuppy
Date: 2019.02.27 11:05:42
-08'00'

Mindy Cuppy, City Clerk

The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.

EXHIBIT "A"
LEGAL DESCRIPTION

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Public Utilities Easement Abandonment

LEGAL DESCRIPTION

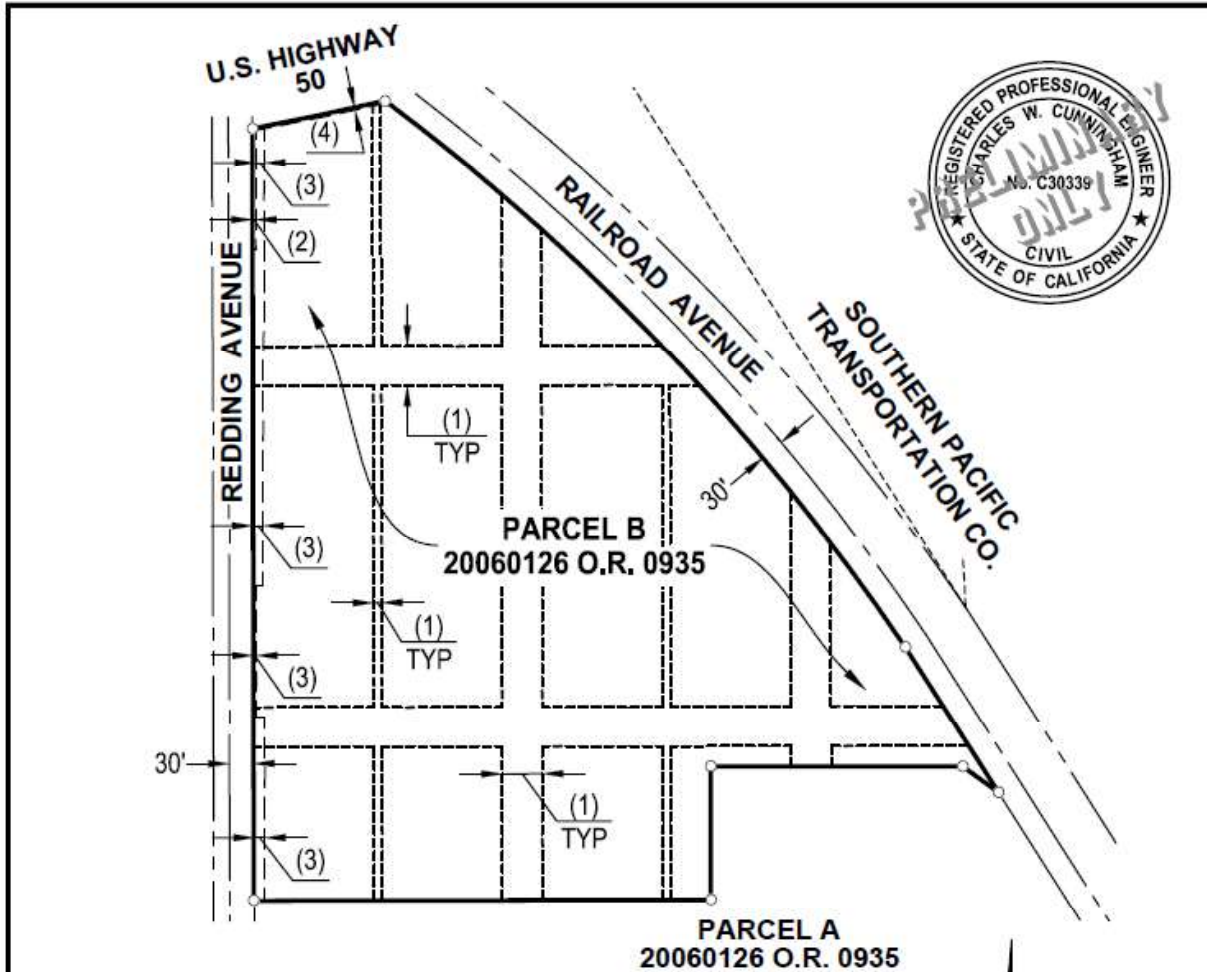
All of that certain Public Utilities Easement reserved in Instrument 2273 O.R. 204, lying within Parcel B per 20060126 O.R. 0935, Sacramento County Official Records, California.

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

End of Description

PREPARED BY: CUNNINGHAM ENGINEERING CORP.
SEPTEMBER 2018



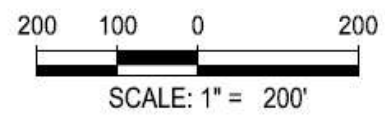
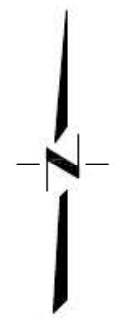


EASEMENTS BEING ABANDONED:

- (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.



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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:
11/12/18
SHEET:
1 OF 1