

## **RESOLUTION NO. 2009-144**

Adopted by the Sacramento City Council

March 10, 2009

### **THE VACATION OF A PORTION OF THE PUBLIC RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENT ON BUTTERWICK COURT, WITHIN COUNCIL DISTRICT 2 VACATION PROCEEDING NO. VAC 08-012**

#### **BACKGROUND**

- A. German Engineering on behalf of the property owners of the Rita and Shankar Prasad Subdivision (P04-207) with parcel (APN: 237-0680-010) has requested the vacation of a portion of the Public Right-Of-Way and Public Utility Easement (PUE) located on the east and west side of Butterwick Court.
- B. The City of Sacramento Planning Director reviewed this vacation proceeding pursuant to Sacramento City Code 2.112.080 and State of California Government Code Section 65402 and concluded that this vacation is consistent with the City's General Plan.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. Subject to the condition below in Section 2, the right-of-way and public utility easement located on the East and West side of the cul-de-sac on Butterwick Court within Council District 2, more specifically described in Exhibit A and Exhibit B of this resolution is hereby ordered vacated.
- Section 2. This vacation is pursuant to the following condition:  
  
The owners of Parcels 237-0460-062, 063 must grant the City of Sacramento a 12.5 foot Public Utility Easement over a portion of the subject area to be vacated to the satisfaction of Department of Transportation.
- Section 3. The vacation of the Right-Of-Way and PUE within Council District 2, more specifically described in Exhibit A and Exhibit B is made pursuant to State of California Streets and Highways Code, Division 9, Part 3, Chapter 4. Pursuant to California Streets and Highways Code Section 8320, the City Council finds that the Right-of-Way and PUE, more specifically described in Exhibit A and Exhibit B has been petitioned for vacation by an interested person.
- Section 4. The City Council finds that the said vacation has been submitted to and reported on by the City's Planning Division and finds that the said vacation is consistent with the City's General Plan.

Section 5. The conditions specified in Section 2 of this Resolution must be completed within 2 years of the date of this Resolution. If all conditions are not completed within 2 years of the date of this Resolution, this Resolution approving the vacation shall become void, unless the City Council grants one or more time extensions.

Section 6. 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.

**Table of Contents:**

Exhibit A: Legal Description  
Exhibit A-1: Exhibit Plat/Map  
Exhibit B: Legal Description  
Exhibit B-1: Exhibit Plat/Map

Adopted by the City of Sacramento City Council on March 10, 2009 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, , Waters, and Mayor Johnson.

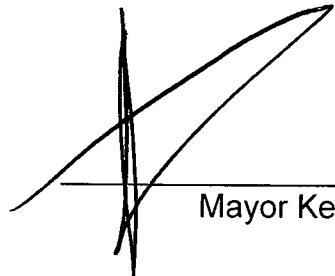
Noes: None.

Abstain: None.

Absent: Councilmember Tretheway.

Attest:

  
Shirley Concolino, City Clerk

  
\_\_\_\_\_  
Mayor Kevin Johnson

**EXHIBIT "A"**

**LOT 62 GLENWOOD PARK UNIT NO. 9**

**RIGHT-OF-WAY ABANDONMENT**

All that real property being a roadway and the adjacent PUE to be abandoned and being a part of Lot 62 of that certain subdivision called "GLENWOOD PARK UNIT NO. 9" recorded in Book 146, Page 16 in the office of the County Recorder of the county of Sacramento, State of California and more particularly described as follows:

Beginning at a point on the east right-of-way of that certain city street called Butterwick Court, said point lying  $S01^{\circ}47'01''E$ , 15.09 feet from the northwest corner of said Lot 62; thence from said point of beginning 22.00 feet along a 30.00 foot tangent curve, concave to the northeast, having a chord bearing  $S22^{\circ}47'45''E$ , 21.51 feet; thence 29.93 feet along a 40.00 foot tangent curve, concave to the southwest, having a chord bearing  $S22^{\circ}22'08''E$ , 29.24 feet to the south boundary line of said "GLENWOOD PARK UNIT NO. 9"; thence  $S89^{\circ}04'13''W$ , 18.00 feet to the east right-of-way of said Butterwick Court; thence along the east right-of-way of said Butterwick Court,  $N01^{\circ}47'01''W$ , 47.18 feet to the point of beginning.

**END OF DESCRIPTION**

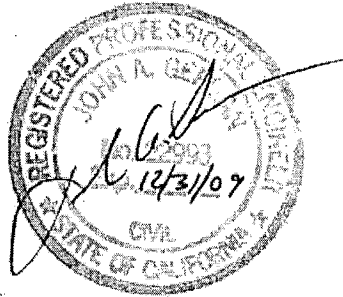
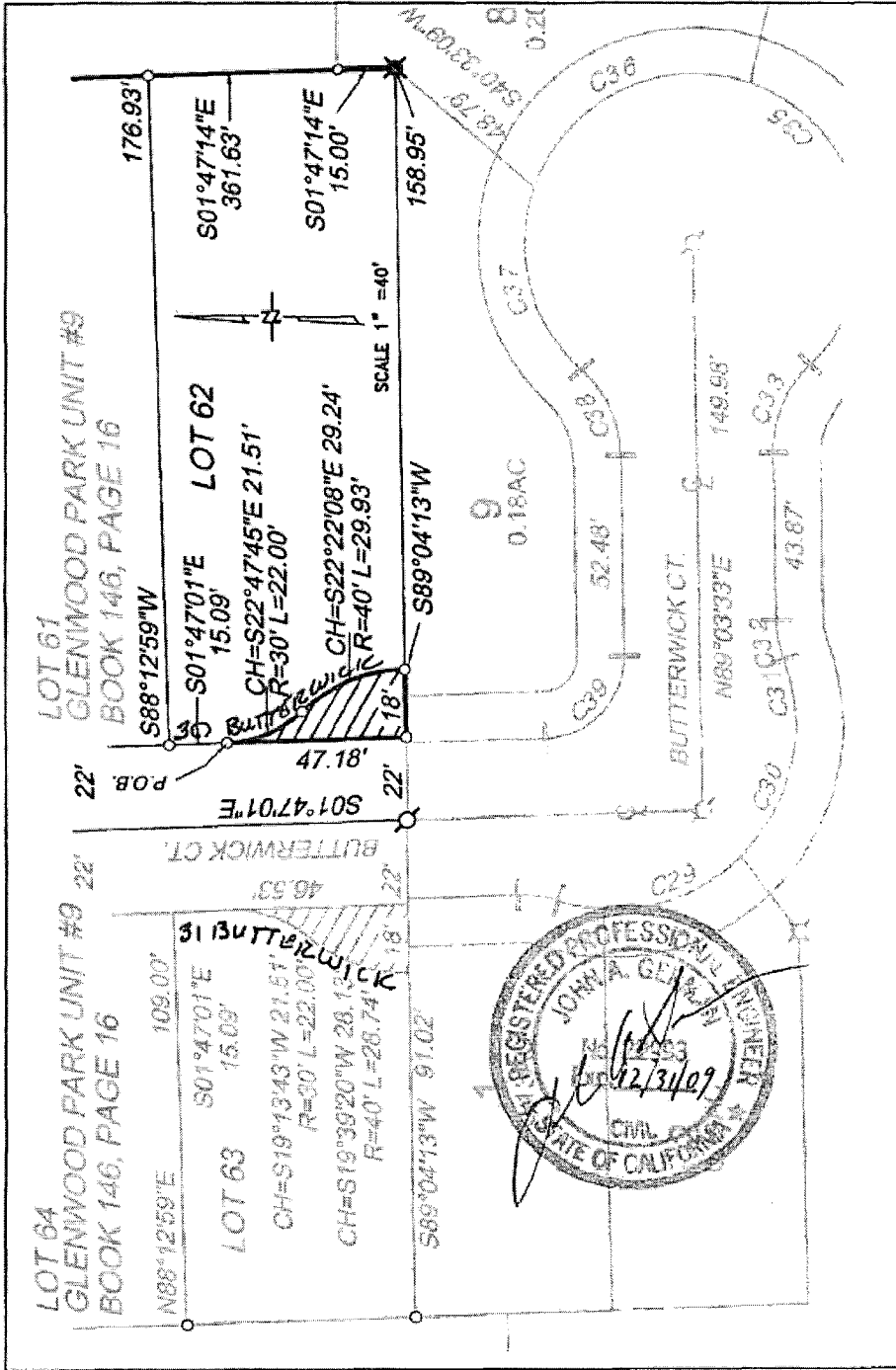


EXHIBIT "A-1"



EXHIBIT

AREA TO BE VACATED  
BUTTERWICK CT., CITY OF SACRAMENTO, CA.  
GLENWOOD PARK UNIT 9, BK. 146, PG. 16  
COUNTY OF SACRAMENTO

GERMAN ENGINEERING  
3000 FRANKLIN BLVD.  
SACRAMENTO, CALIFORNIA 95818  
(916) 455-3000 Fax (916) 455-3118



CIVIL ENGINEERING - SURVEYING - LAND PLANNING

CALIFORNIA

**EXHIBIT "B"**

**EXHIBIT "B"**

**LOT 63 GLENWOOD PARK UNIT NO. 9**

**RIGHT-OF-WAY ABANDONMENT**

All that real property being a roadway and adjacent PUE to be abandoned and being a part of Lot 63 of that certain subdivision called "GLENWOOD PARK UNIT NO. 9" recorded in Book 146, Page 16 in the office of the County Recorder of the county of Sacramento, State of California and more particularly described as follows:

Beginning at a point on the west right-of-way of that certain city street called Butterwick Court, said point lying  $S01^{\circ}47'01''E$ , 15.09 feet from the northeast corner of said Lot 63; thence from said point of beginning 22.00 feet along a 30.00 foot tangent curve concave to the northwest having a chord bearing  $S19^{\circ}13'43''W$ , 21.51 feet; thence 28.74 feet along a 40.00 foot tangent curve concave to the southeast having a chord bearing  $S19^{\circ}39'20''W$ , 28.13 feet to the south boundary line of said "GLENWOOD PARK UNIT NO. 9"; thence  $N89^{\circ}04'13''E$ , 18.00 feet to the west right-of-way of said Butterwick Court; thence along the west right-of-way of said Butterwick Court,  $N01^{\circ}47'01''W$ , 46.53 feet to the point of beginning.

**END OF DESCRIPTION**

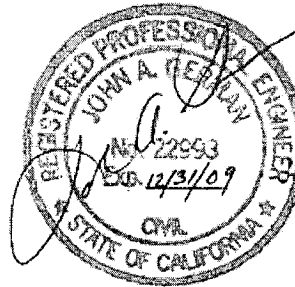
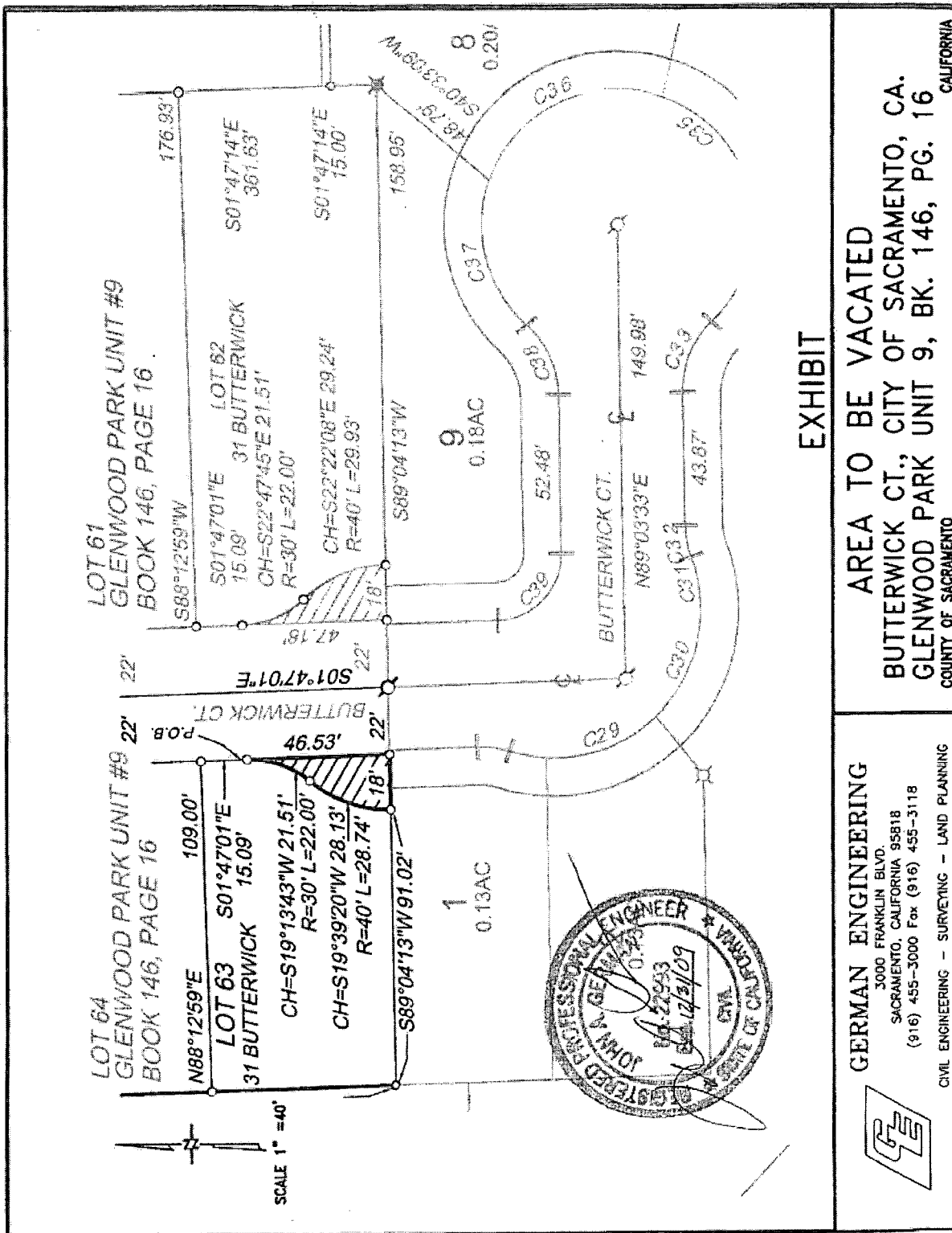


EXHIBIT "B-1"



EXHIBIT

**GERMAN ENGINEERING**  
3000 FRANKLIN BLVD.  
SACRAMENTO, CALIFORNIA 95818  
(916) 455-3000 Fax (916) 455-3118  
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**AREA TO BE VACATED**  
BUTTERWICK CT., CITY OF SACRAMENTO, CA.  
GLENWOOD PARK UNIT 9, BK. 146, PG. 16  
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