

RESOLUTION NO. 2004-060

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF JAN 27 2004

**RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING THE VACATION OF
THE PUBLIC UTILITY EASEMENT LOCATED AT 4990 FREEPORT BOULEVARD AND
1931 HARIAN WAY WITHIN COUNCIL DISTRICT 4**

VACATION PROCEEDING NO. VP03-05

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

- A. WHEREAS, the City received a request from the "Oto's Japan Food" to vacate the subject public utility easement 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 8310-8317, 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 public utility easement located at 4990 Freeport Boulevard and 1931 Harian Way, is hereby ordered vacated subject to the conditions specified in this resolution.

- 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 8310-8317 has considered this vacation in connection with the General and Community Plans and finds the vacation is consistent.
- 2. This vacation is subject to the following conditions:
 - a. Vacate the existing sewer line located within the vacated alley to the satisfaction of the Department of Utilities.
 - b. At no cost to the City, dedicate a new public utility easement to the satisfaction of the Department of Public Works.

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- c. Relocate the existing facilities from the vacated public utility easement to the new dedicated public utility easement to the satisfaction of the Department of Public Works, SMUD, AT & T and PG & E.
3. All conditions specified in paragraph 2 of this resolution must be completed within two years of the date of this resolution. If all the conditions are not completed within the two years specified, this resolution approving the vacation shall become void, unless the City Council grants a time extension.
4. 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.



MAYOR

ATTEST:



CITY CLERK

FOR CITY CLERK USE ONLY

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EXHIBIT "A"

Page 1 of 1

***Legal Description of the 20' PUE being requested to be abandoned within the 20' abandoned alley at
4990 Freeport Boulevard***

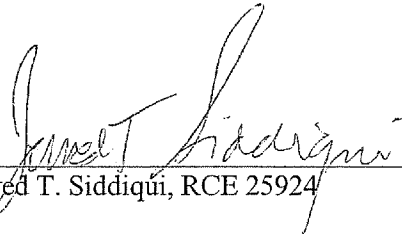
That certain property situated in the County of California, State of County of Sacramento, described as follows:

That 20' Public Utility Easement contained within that certain Alley 20 feet in width (abandoned per Book 3975 OR Page 878 filed January 12, 1960) as shown on "Plat of Freeport Terrace" lying between **Lots A and B of 23 BM 30 and Lot 11** of said "Plat of Freeport Terrace", filed at the Office of the County Recorder of Sacramento County, on June 22, 1946, **in Book 23 of Maps, Map No. 30 (23 BM 30);**

End of Legal Description

Prepared by JTS Engineering Consultants, Inc. from record data





Javed T. Siddiqui, RCE 25924

Date: 3/26/03

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8

RESOLUTION NO: 2004-060

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EASEMENT ABANDONMENT EXHIBIT "B"

CALIFORNIA
FEBRUARY, 2003

LOTS A, B, 11, AND ADJACENT ABANDONED ALLEY,
AS FILED IN BOOK 23 OF MAPS, MAP NO. 30
APN: 017-0211-009 AND 012

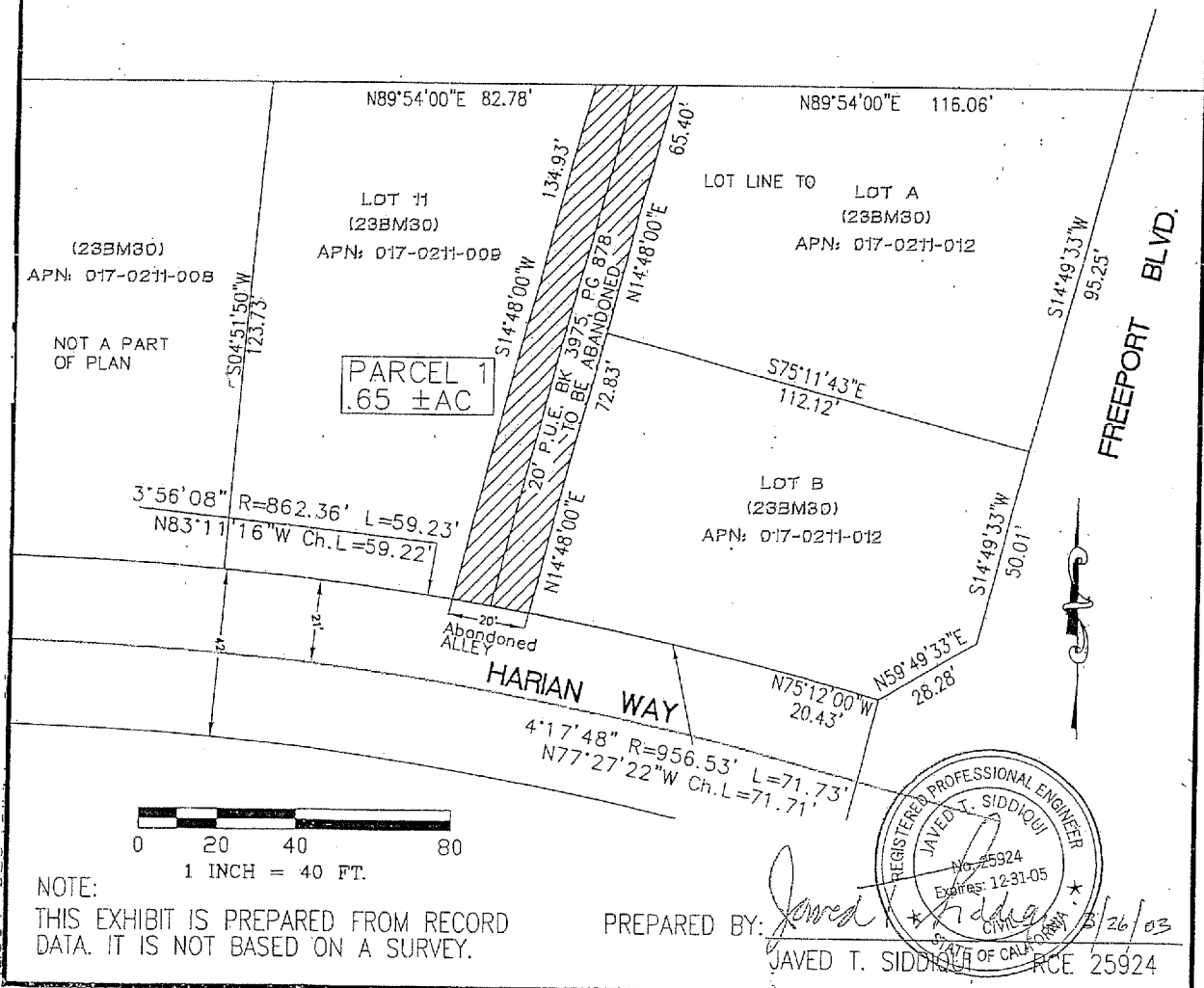
JTS ENGINEERING
CONSULTANTS

1808 J STREET
Sacramento California 95814
(916) 441-6708

OWNER: OTOS JAPAN FOOD INC.
5770 FREEPORT BLVD.
SACRAMENTO, CA 95822

ENGINEER: JTS ENGINEERING
CONSULTANTS, INC.
1808 J STREET
SACRAMENTO, CA
95814
PH: 916-441-6708

REQUEST: TO ABANDON (20' PUE PER 3975 OR-PG878)
RESERVED OVER
ABANDONED ALLEY



NOTE:
THIS EXHIBIT IS PREPARED FROM RECORD
DATA. IT IS NOT BASED ON A SURVEY.

PREPARED BY: *Javed Siddiqui*
JAVED T. SIDDIQUI
REGISTERED PROFESSIONAL ENGINEER
No. 25924
Expires: 12-31-05
CIVIL ENGINEER
STATE OF CALIFORNIA
RCE 25924

FOR CITY CLERK USE ONLY

RESOLUTION NO: 2004-060
DATE ADOPTED: JAN 27 2004

Record for the Benefit of the City of Sacramento - Fee Exempt Pursuant to Government Code Section 6103.

When Recorded, Mail to:

Office of the City Clerk
Historic City Hall
915 "I" Street, First Floor
Sacramento CA 95814-2604



Sacramento County Recording
Craig A Kramer, Clerk/Recorder
BOOK 20070112 PAGE 0466
Friday, JAN 12, 2007 10:18:22 AM
Ttl Pd \$0.00 Nbr-0004697111
MAL/64/1-5

This Space for Recorder's Use

Resolution No. 2004-060 – Resolution Adopting Findings of Fact and Approving the Vacation of the Public Utility Easement Located at 4990 Freeport Boulevard and 1931 Harian Way within Council District 4.
Vacation Proceeding No. VP03-05

Title of Document

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ON DATE OF JAN 27 2004

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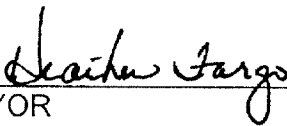
DATE ADOPTED: JAN 27 2004



THIS IS A TRUE COPY OF AN ORIGINAL DOCUMENT ON FILE WITH THE CITY CLERK

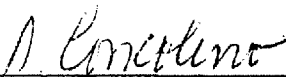
DATE CERTIFIED: Jan. 9, 2004
DAWN BULLWINKEL
ASSISTANT CITY CLERK

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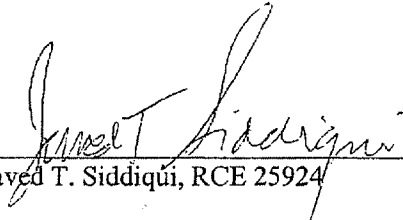
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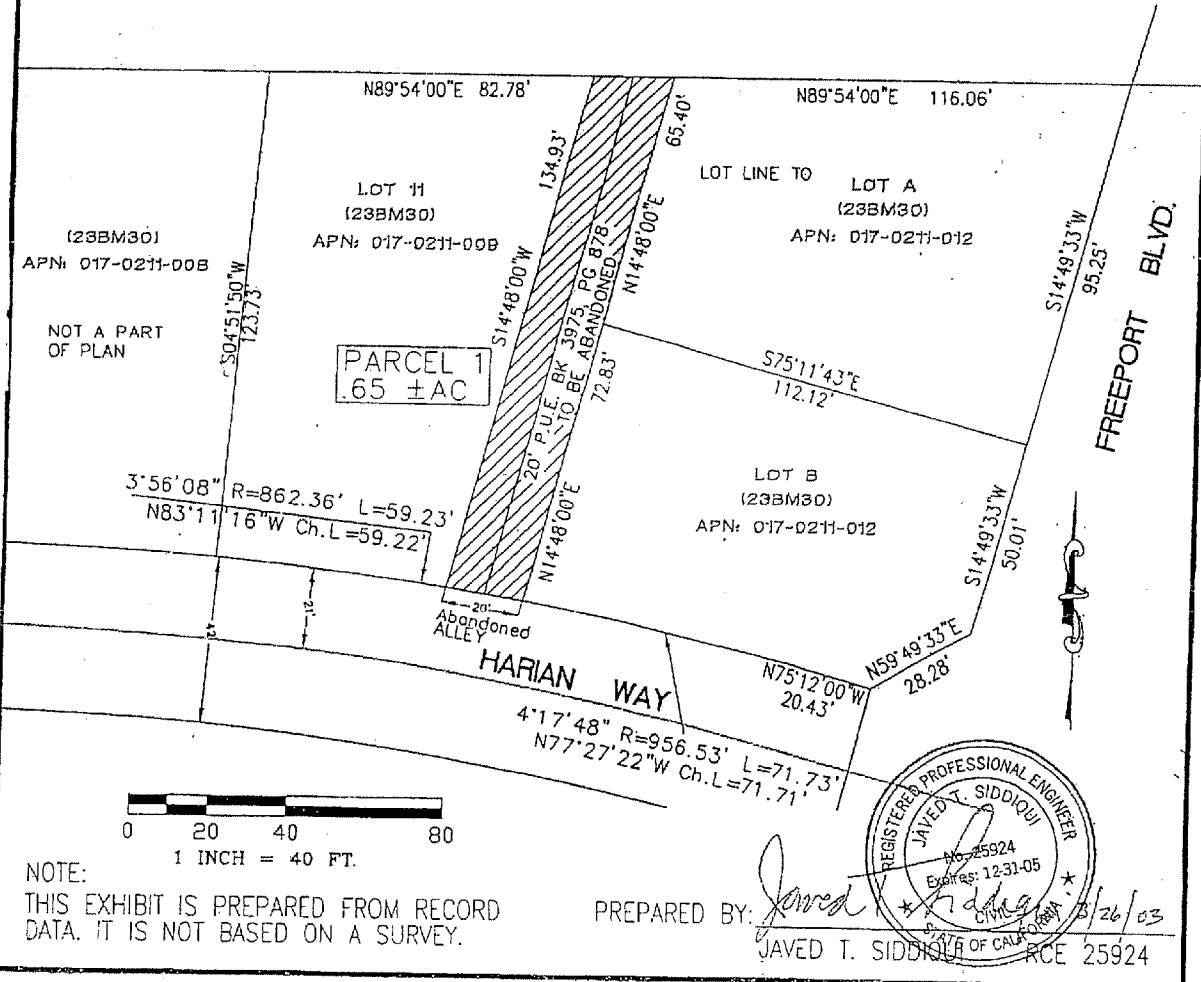
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