

# RESOLUTION NO. 2003-544

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF AUG 7 2003

## RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING THE SUMMARY ABANDONMENT OF A 10 FOOT WIDE PUBLIC UTILITY EASEMENT LOCATED ON THE NORTH SIDE OF FRUITRIDGE ROAD BETWEEN 55<sup>TH</sup> STREET AND 56<sup>TH</sup> STREET WITHIN COUNCIL DISTRICT 5 IN THE CITY OF SACRAMENTO

### ABANDONMENT PROCEEDING NO. AP03-01

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

- A. WHEREAS, the City received a request from the Sacramento Sanitation District No.1 to abandon the public utility easement within the City of Sacramento requesting the City Council to consider the abandonment of the subject public utility easement; and
- B. WHEREAS, the City Council would consider the proposed abandonment in compliance with California Streets and Highways Code, Section 8330, et. seq.; and
- C. WHEREAS, the Planning Commission reviewed the proposed abandonment pursuant to Government Code Section 65402 and concluded that said abandonment 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:

1. A 10 foot wide Public Utility Easement located on the north side of Fruitridge Road Between 55<sup>th</sup> Street and 56<sup>th</sup> Street, specifically described in Exhibit "A" and shown in Exhibit "B" attached hereto, is hereby ordered abandoned subject to the conditions specified in this resolution.

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

2. The City Council hereby finds that said abandonment has been submitted to and reported on by the Planning Commission as to conformity with the City General Plan. The Council, pursuant to Streets and Highways Code Section 8330 et. Seq., has considered this abandonment in connection with the General and Community Plans and finds the abandonment is consistent.

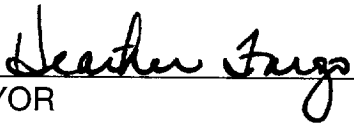
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#### FOR CITY CLERK USE ONLY

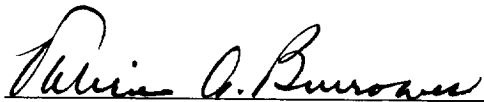
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3. The abandonment is subject to the following condition:
- a. At no cost to SBC or the City of Sacramento, the applicant shall request SBC for the transfer of one cable, one terminal and dropwire attachment from an existing pole (which will be removed by SBC) to a new joint steel pole to be provided by SMUD.
4. After the conditions in paragraph 3 of this resolution have been fulfilled, the City Clerk shall cause a certified copy of this resolution, attested by the City Clerk under seal, to be recorded. The abandonment shall be effective when the City Clerk records this resolution with the County Recorder.
5. The City Clerk shall cause a certified copy of this resolution, attested by the City Clerk under seal, to be recorded. The abandonment shall be effective when the City Clerk records this resolution with the County Recorder.

  
MAYOR

ATTEST:

  
CITY CLERK

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EXHIBIT "A"  
LEGAL DESCRIPTION

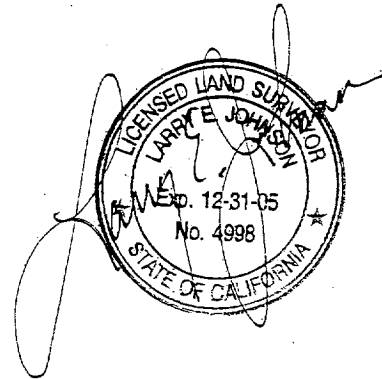
All that real property in the City of Sacramento, County of Sacramento, State of California, being a portion of Lots 1103 & 1104 as said lots are shown on that certain plat of "Tallac Village No. 8", filed in Book 38 of Maps at Page 37, Sacramento County Records, being more particularly described as follows:

The existing five (5) foot wide Public Utility Easement (PUE) being the westerly five (5) feet of said Lot 1103, excepting therefrom the northerly five (5) feet thereof.

Together with the existing five (5) foot wide PUE being the easterly five (5) feet of said Lot 1104, excepting therefrom the northerly five (5) feet thereof.

Containing 670 square feet (0.02 acres) more or less.

End of Description



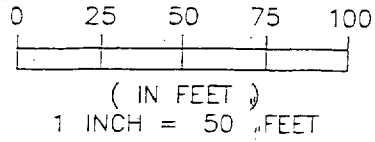
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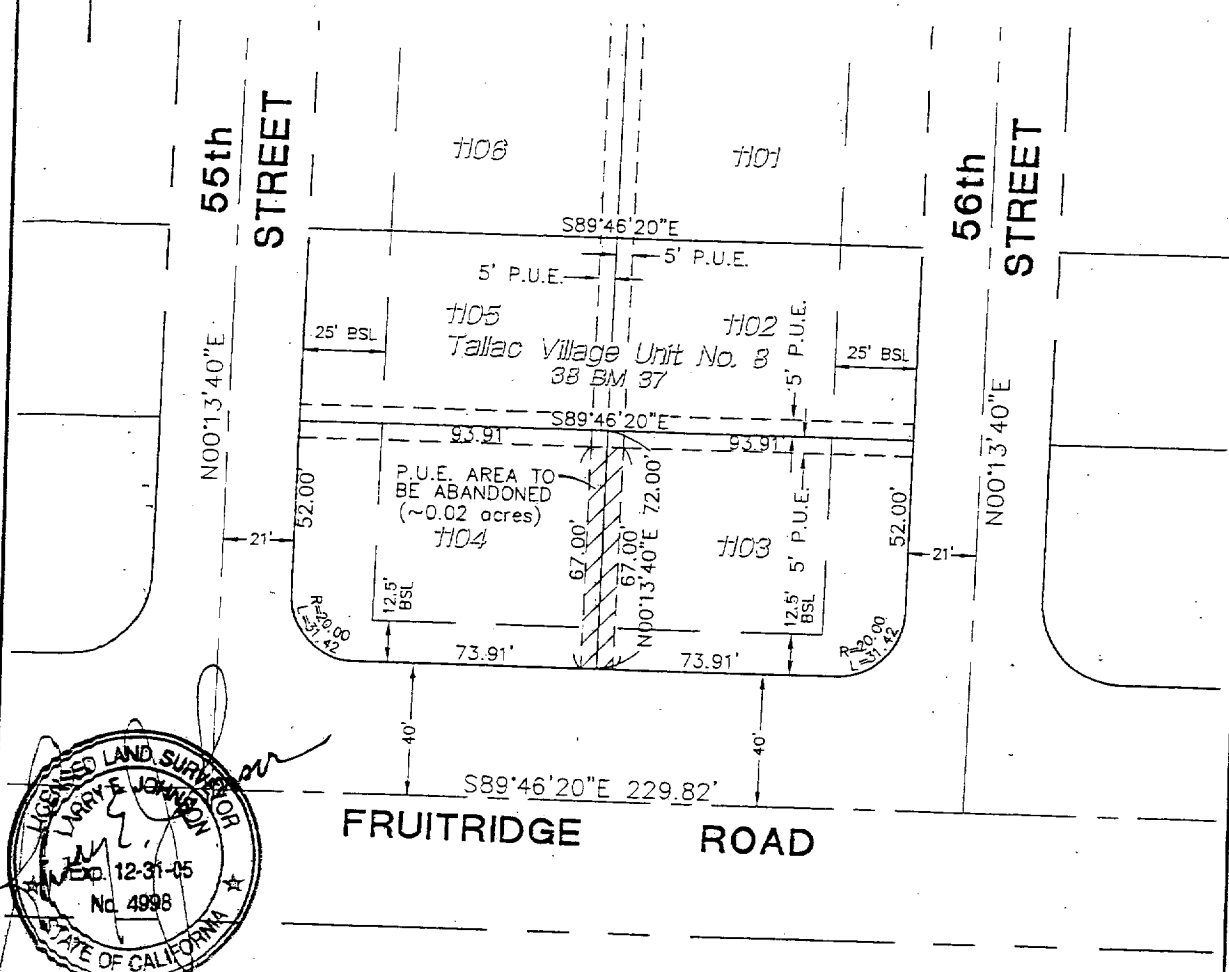
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# EXHIBIT 'B'



## LEGEND

- BSL BUILDING SETBACK LINE
- P.U.E. PUBLIC UTILITY EASEMENT
-  PUE AREA TO BE ABANDONED



THIS EXHIBIT WAS PREPARED FROM RECORD INFORMATION. THE CENTERLINE BEARING OF FRUITRIDGE ROAD PER PLAT OF "TALLAC VILLAGE UNIT No. 8", FILED IN BOOK 38 OF MAPS AT PAGE 37, SACRAMENTO COUNTY RECORDS WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS EXHIBIT.

### CSD-1 P.U.E. ABANDONMENT AREA

CITY OF SACRAMENTO COUNTY OF SACRAMENTO STATE OF CALIFORNIA

DATE: 10/23/2002 SCALE: 1" = 50'  
 DRWN. BY: MEC CHK. BY: LEJ SHEET 1 OF 1

**PSOMAS**  
 2285 Gateway Oaks Drive Suite 250  
 Sacramento, CA 95833  
 (916) 529-7100 (916) 929-5380 (FAX)

Oct. 24, 2002 - 11:13:30 P:\68R0040600\Production Data\Survey\Draw\Fruitridge Pump Station\PUEAbandonm.dwg Updated By: JLC/er

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