



APPROVED
BY THE CITY COUNCIL

JAN 4 1994

OFFICE OF THE
CITY CLERK

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DEPARTMENT OF
PUBLIC WORKS

ENGINEERING DIVISION

CITY OF SACRAMENTO
CALIFORNIA

927 TENTH STREET
ROOM 200
SACRAMENTO, CA
95814-2700

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FAX 916-264-7903

CONSTRUCTION SECTION
640 BERGUT DRIVE
SUITE B
SACRAMENTO, CA
95814-0131

PH 916-264-5282
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November 24, 1993

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: ABANDONMENT OF A 25-FEET WIDE EXTENSION OF LAS PALMAS AVENUE, WEST OF GROVE AVENUE - SUMMARY ABANDONMENT NO. 93-12

LOCATION/COUNCIL DISTRICT:

Half street adjacent to Johnston Park at Norwood Acres in North Sacramento Council District 2

RECOMMENDATION:

This report recommends that the City Council:

- Adopt the attached resolution regarding findings of fact.
- Approve the proposed abandonment of a 25-foot wide extension of Las Palmas Avenue, west of Grove Avenue. The unnamed half street is adjacent to Johnston Park at Norwood Acres in North Sacramento.

CONTACT PERSON:

Glenn Marshall, Associate Engineer,
264-5517

FOR COUNCIL MEETING OF:

January 4, 1994

SUMMARY:

The Department of Public Works, Real Property Section recommends vacating a 25-foot wide half street extension of Las Palmas Avenue, west of Grove Avenue because it has never been used as a street and has become a hangout for drug dealing and gang activities. The unnamed half street is located adjacent to Johnston Park at

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City Council
Summary Abandonment #93-12
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Norwood Acres in North Sacramento (see Exhibit A). City departments and utility companies have reviewed the proposed abandonment and there are no objections to the proposed abandonment provided a public easement is retained for access to permit maintenance of existing or future facilities in Johnston Park. Approval of the proposed abandonment is recommended.

COMMITTEE/COMMISSION ACTION:

None.

BACKGROUND:

The Department of Public Works, Real Property Section proposes the City vacate a 25-foot wide extension of Las Palmas Avenue, west of Grove Avenue. The unnamed half street is adjacent to Johnston Park at Norwood Acres in North Sacramento. The half street was once a parking area but has now become a hangout for drug dealing and gang activity. It is a nuisance, and poses a continual threat to the health and safety of the neighborhood residents. The City, as the owner of the abutting parcel to the south, will be the beneficiary of the abandonment. The City intends to convey its interest in both the real property abandoned and the property to the south by disposing of it as surplus property.

Utility companies and City departments have reviewed this request for abandonment. There are no objections provided a public easement is retained for access to permit maintenance of existing or future facilities in Johnston Park. Letters from the utility companies and City departments regarding this abandonment are on file with the Department of Public Works, Development Services.

The proposed abandonment is categorically exempt in accordance with Section 15305 of the CEQA guidelines.

This abandonment is classified as a "Summary Abandonment" because the half street proposed to be abandoned is an impassable street (Section 8331), and of no foreseeable use to the City. Approval and recordation of the attached resolution will cause the abandonment to be effective.

The request conforms with City Guidelines for Street Closures (City Resolution No. 82-509) and the State of California, Streets and Highways Code (Section 8300 et seq.). Approval of the request to abandon is recommended.

City Council
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FINANCIAL CONSIDERATIONS:

The City provided all the documentation required for the abandonment and funded the staff time required to process the abandonment application. The City will recover these costs when the abandoned street and parcel to the south are sold as surplus property.

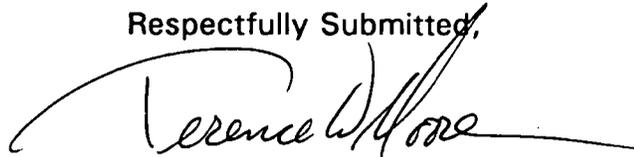
POLICY CONSIDERATIONS:

Section 8300 et seq. of the State of California Streets and Highways Code allows for abandonment of streets, alleys, and easements that are no longer needed for public use. The local governing body is the approving authority and may reserve such rights as may be needed (e.g., retaining the utility easement when approving a street abandonment). City policy, as stated in Resolution No. 82-509 which was approved by the City Council on July 20, 1982, provides for abandonment of local streets so long as there is a benefit to the community, it does not inhibit access to other properties and would be supported by the majority of property owners. This abandonment is consistent with these policies.

MBE/WBE:

None, since no goods or services are procured with this action.

Respectfully Submitted,



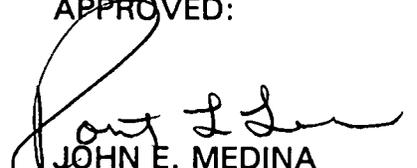
TERENCE W. MOORE
Engineering Division Manager

RECOMMENDATION APPROVED:



WILLIAM H. EDGAR
City Manager

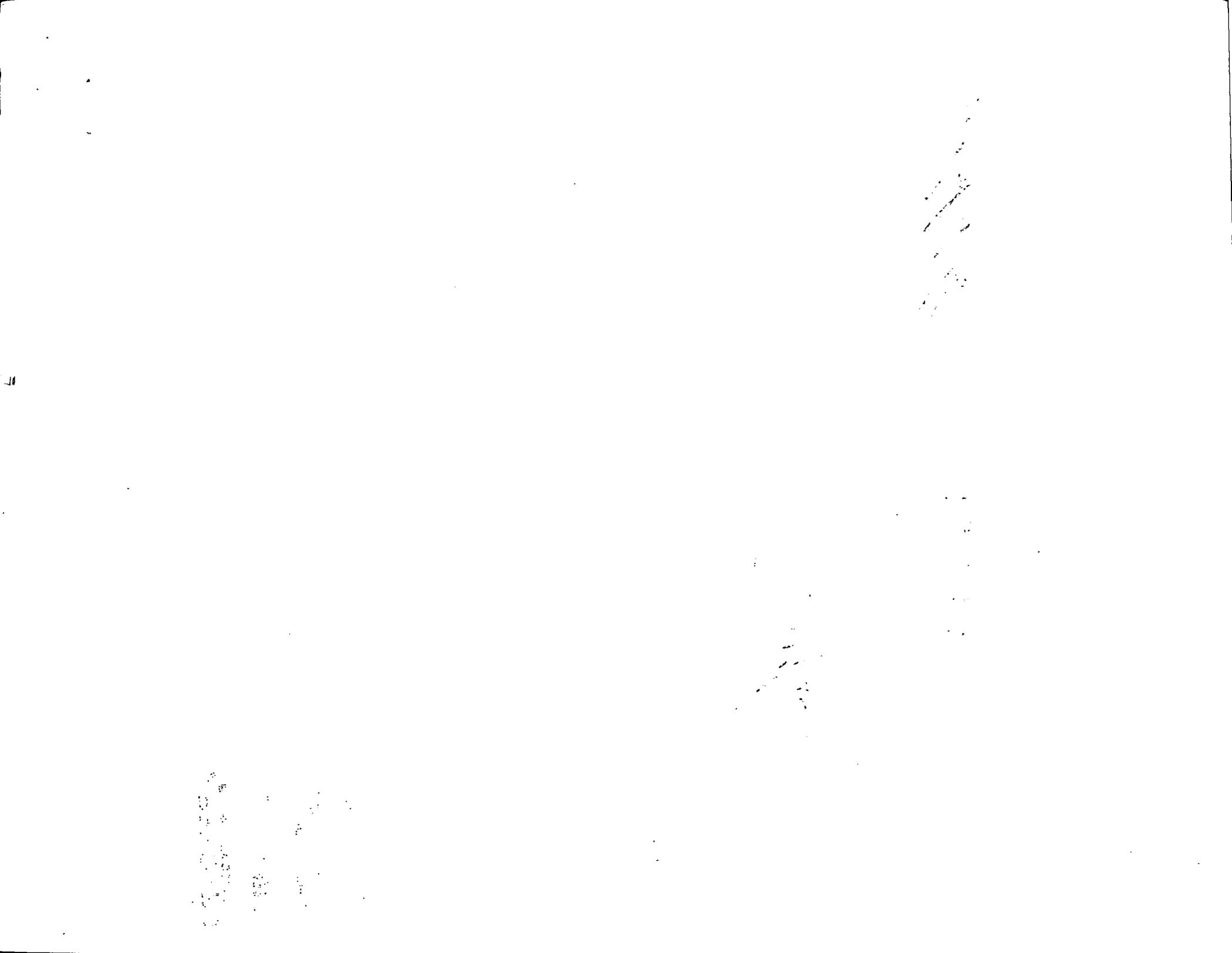
APPROVED:



JOHN E. MEDINA
Director of Public Works

JV:rn
DS1-12AB.B
10.2693.1

Attachment



RESOLUTION NO. 94-002

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

APPROVED
BY THE CITY COUNCIL

JAN 4 1994

OFFICE OF THE
CITY CLERK

RESOLUTION ADOPTING FINDINGS OF
FACT AND APPROVING THE SUMMARY
ABANDONMENT OF A 25-FEET WIDE
EXTENSION OF LAS PALMAS AVENUE,
WEST OF GROVE AVENUE

ABANDONMENT PROCEEDING NO. 93-12

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

1. The City received a petition to abandon from the City of Sacramento Real Property Section, requesting the City Council to consider a summary abandonment of subject property:
2. The public street right-of-way located in the City of Sacramento, specifically described below is hereby ordered abandoned;

All that certain real property situated in the City of Sacramento, County of Sacramento, State of California, being all of that certain 25-foot wide extension of Las Palmas Avenue, west of Grove Avenue. Also being a 25-foot wide strip of unnamed half street lying north of Lot 89 as said lot is shown and so defined on the official plat of Norwood Acres, filed in the Office of the Recorder of Sacramento County, California, on May 17, 1938, in Book 20 of Maps, Map No. 44, and being more specifically described as follows:

Being all of that certain 25-foot wide strip of land lying north of said Lot 89 between the west line of said Norwood Acres and the northerly prolongation of the east line of said Lot 89.

Excepting therefrom the west 20.00 feet of said 25.00 feet wide strip of unnamed half street.

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

RESERVING HOWEVER, a public service easement (as defined in §8306 of the California Streets and Highways Code) over and across the north 12.00 feet of the 25-foot wide half street to be abandoned, and the right at any time, or from time to time, to maintain, operate, replace, remove, or renew any public service facilities in, upon, over and across the north 12.00 feet of the street to be abandoned.

A map or plan of the proposed abandonment is attached as Exhibit A and is on file with the Department of Public Works, Development Services, located at 927-10th Street, Room 100.

3. The City Council finds that the public half street may be summarily abandoned in accordance with section 8331 of the Streets and Highways Code which states "The Legislative body of a local agency may summarily vacate a street or highway if both of the following conditions exist: a) For a period of five consecutive years, the street or highway has been impassable for vehicular travel; b) No public money was expended for maintenance on the street or highway during such period."
4. The City Council finds that the public half street is not necessary for present or prospective public use in that:
 - a. It is not necessary for through traffic circulation; and
 - b. The City Engineer has reviewed said abandonment and found that it will not interfere with the traffic flow in the area or affect the aesthetics of the neighborhood; and
 - c. The parcels adjacent to the abandoned half street described above have other access and said abandonment will not create any land-locked parcels; and
 - d. The half street to be abandoned is not necessary or useful as a non-motorized transportation facility as defined in Section 156 of the Streets and Highways code.
5. The City Council hereby finds that the closure of the street identified in paragraph 1 above, does satisfy the City Council's "Review Guideline For Street Closures", adopted July 20, 1982, by Resolution No. 82-509.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

6. 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.

ATTEST:

MAYOR

CITY CLERK

DS1-12AB.B
10.2693.1

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

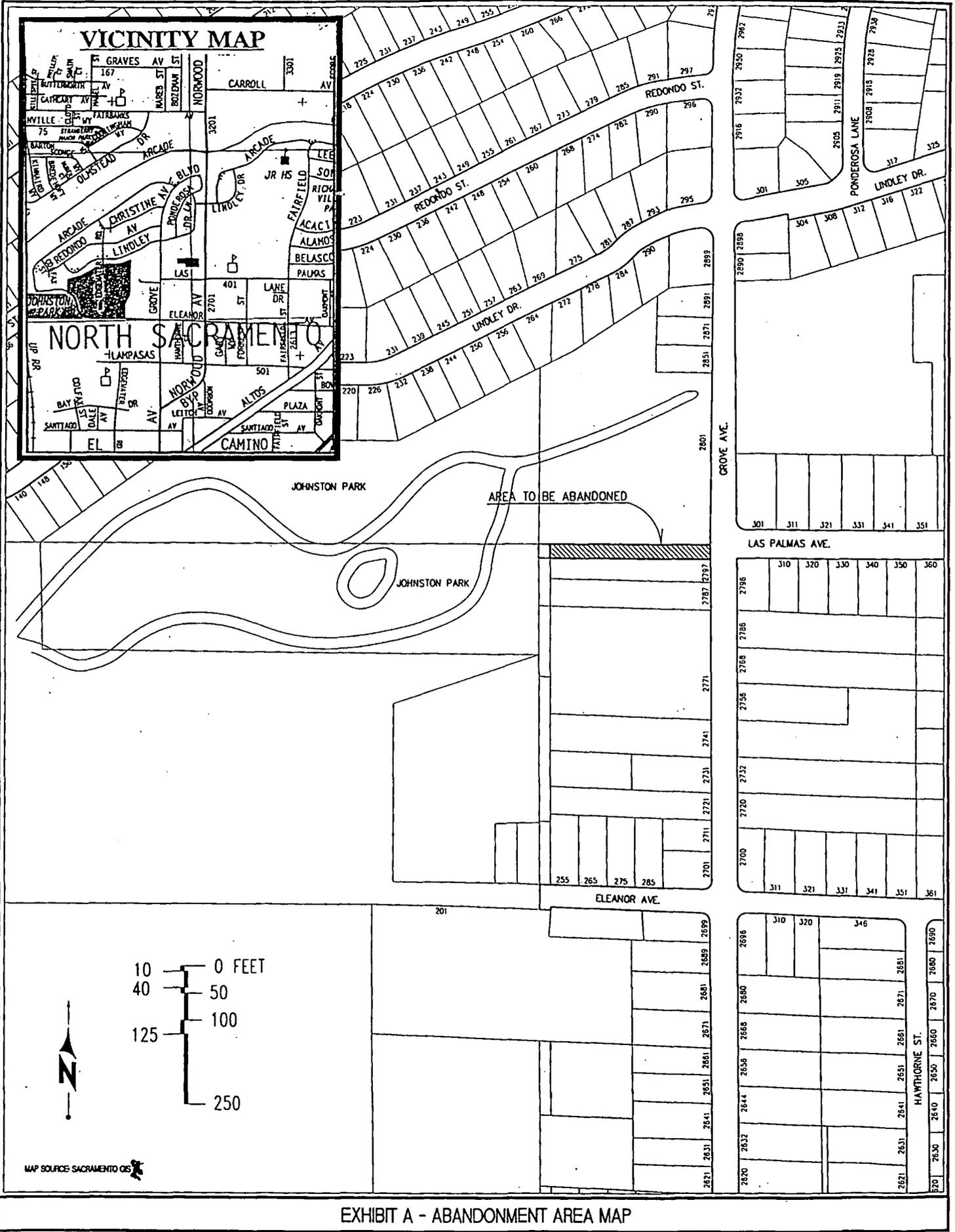


EXHIBIT A - ABANDONMENT AREA MAP

