



REPORT TO COUNCIL

City of Sacramento

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915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org

CONSENT ITEM
October 25, 2005

Honorable Mayor and
Members of the City Council

Subject: The Summary Vacation of Sam Avenue between Woodbine Avenue and 27th Street

Location/Council District:

Sam Avenue between Woodbine Avenue and 27th Street within Council District 5

Recommendation:

Adopt the Resolution approving the summary vacation of Sam Avenue.

Contact: Jerry Lovato, Senior Engineering Technician, (916) 808-7918; Cesar Narvaez II, Engineering Technician III, (916) 808-7873

Presenters: Cesar Narvaez II, Engineering Technician III

Department: Development Services Department

Division: Development Engineering and Finance

Organization No: 4815

Summary:

Paratransit Incorporated, owner of the property located south of Sam Avenue, requested this vacation proceeding. Staff finds that Sam Avenue between Woodbine Avenue and 27th Street is an excess public road right-of-way not required for street or highway purposes. Staff recommends approval of this vacation.

Committee/Commission Action:

The City Planning Commission has reviewed and determined that the vacation of said public road is consistent with the City's General Plan.

Background Information:

Paratransit Incorporated requested this vacation of Sam Avenue to facilitate the development of its property located south of this road. Paratransit Incorporated plans to

develop the property into childcare and housing facilities with a planning entitlement (No. P05-038) which was approved by the Planning Commission on August 25, 2005. This portion of Sam Avenue is unused and an unimproved public road. This road, when vacated, will revert back to the adjacent owners. The south half portion of this road will revert back to the Paratransit Incorporated property located south to this road and the north half portion of this road will revert back to the Gospel Center Church for God in Christ property located north to this road. Both property owners support this vacation proceeding.

City departments and utility companies have reviewed and supported this request for vacation. Letters regarding this vacation are on file with the Development Services Department, Development Engineering and Finance Division. Staff finds that this request for vacation is in conformance with the Streets and Highways Code (S&HC) Section 8834.a, being that the road is an excess right-of-way of a street or highway not required for street or highway purposes.

Following vacation, the title to the subject property is cleared of the public road right-of-way and public service easement.

Financial Considerations:

The applicant is responsible for all fees required to process the vacation application and there is no cost to the City.

Environmental Considerations:

The Development Services Department, Environmental Services Division has reviewed this project and determined that the activity is exempt under Section 15305 of the California Environmental Quality Act (CEQA) Guidelines. Projects exempted under Section 15305 consist of minor alterations to land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density.

Policy Considerations:

The Council action recommended in this report supports the City Strategic Plan and goal to promote and support economic vitality. The State of California, Streets and Highways Code, Section 8330-8336 allows for the vacation of streets, alleys, and easements.

Emerging Small Business Development (ESBD):

None.

Respectfully Submitted by: 
Edward Williams
Manager, Development Engineering and Finance

Recommendation Approved:

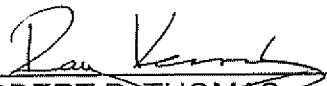
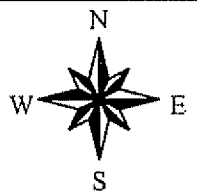
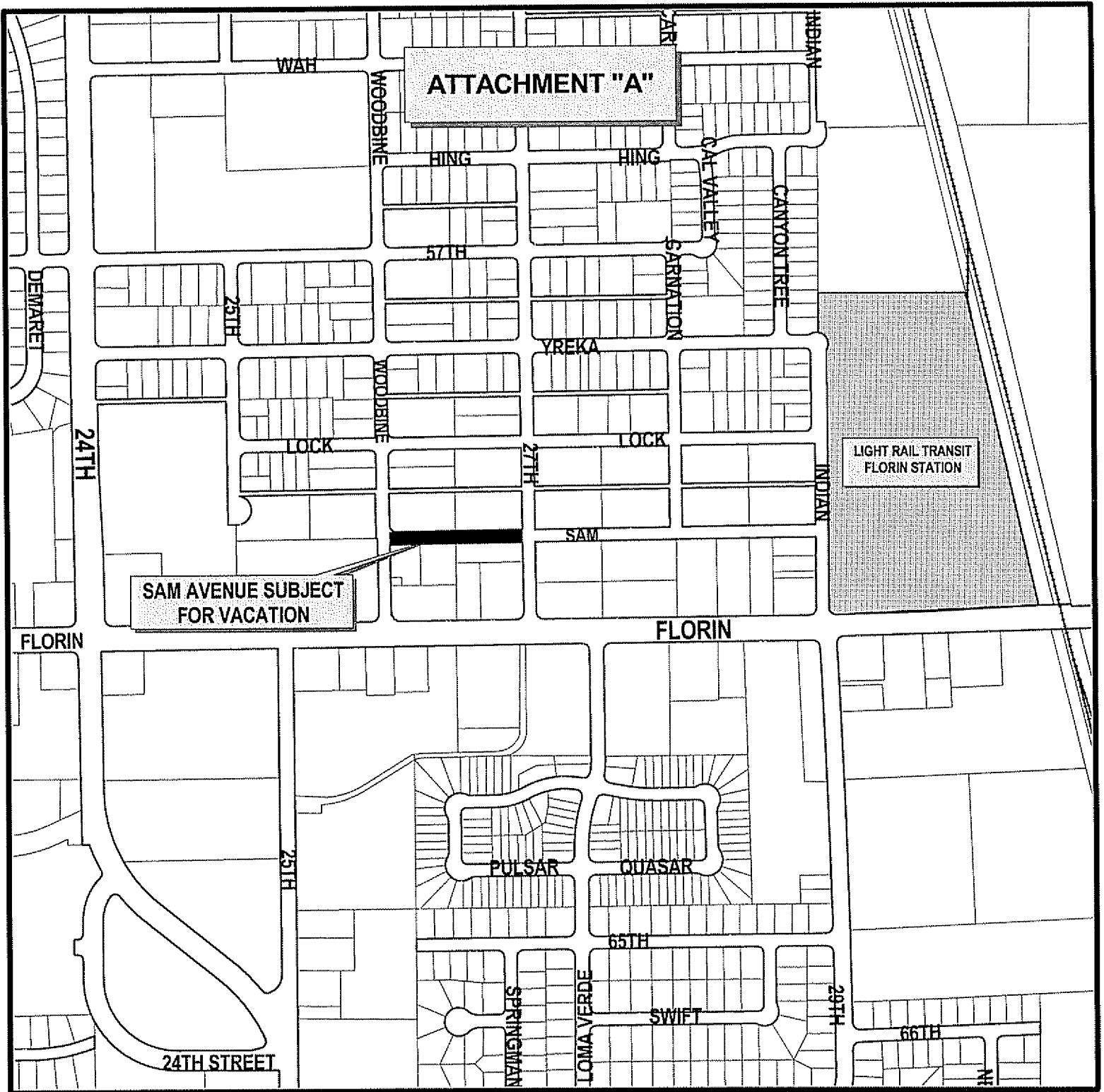

for ROBERT P. THOMAS
City Manager

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SUMARRY VACATION, VP05-12
 Sam Avenue between Woodbine Avenue
 and 27th Street



CesarV_092005

RESOLUTION NO.

Adopted by the Sacramento City Council

RESOLUTION APPROVING THE SUMMARY VACATION OF SAM AVENUE BETWEEN WOODBINE AVENUE AND 27TH STREET WITHIN COUNCIL DISTRICT 5

VACATION PROCEEDING NO. VP05-11

BACKGROUND

- A. "Paratransit Incorporated" requested the City to vacate the subject Sam Avenue, a public road located within the City of Sacramento
- B. The Sacramento City Council will consider this vacation proceeding in accordance to State of California Streets and Highways Code Section 8330-8334.5.
- C. The City of Sacramento Planning Agency reviewed this vacation proceeding pursuant to State of California Government Code Section 65402 and concluded that this vacation is consistent with the City's General Plan and applicable Community Plan.

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

- Section 1. Sam Avenue between Woodbine Avenue and 27th Street, specifically described in Exhibit A and Exhibit B of this resolution, is hereby ordered vacated subject to the conditions specified on this resolution.
- Section 2. The City Council has considered this vacation in accordance to State of California Streets and Highways Code Section 8330-8334.5. The City council finds that the subject public road is an excess right-of-way not necessary for street or highway purposes.
- Section 3. The City Council finds that the said vacation have been submitted to and reported on by the City's Planning Agency and finds that the said vacation is consistent with the City's General Plan and applicable Community Plan.
- Section 4. This vacation is subject to the following condition:
 - a. The applicant shall apply for and obtain a Certificate of Compliance for Lot Line Adjustment to eliminate all landlocked parcels that is created by this vacation.
- Section 5. The condition specified in Section 4 of this resolution must be completed within two years of the date of this resolution. If all 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.

Section 6. Once the conditions in Section 4 are met, 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

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Exhibit A: Legal Description

Exhibit B: Exhibit Plat/Map

EXHIBIT "A"

SAM AVENUE ABANDONMENT

All that real property situated in the City of Sacramento, County of Sacramento, State of California, being more particularly described as follows:

All of Sam Avenue lying between the east right-of-way of Woodbine Avenue and the west right-of-way of 27th Street as depicted on the plat of "Camellia Acres" filed at the Office of the Recorder of Sacramento County in Book 15 of maps, Map No. 21 located in the block bounded by Sam Avenue, Woodbine Avenue, 27th Street, and Florin Road, described as follows:

BEGINNING at the intersection of the east right-of-way of Woodbine Avenue and south right-of-way of Sam Avenue as shown on said plat; thence along the said south right-of-way of Sam Avenue, North 89° 56' 24" East, 470.44 feet more or less, to the west right-of-way of 27th Street; thence along the west right-of-way of 27th Street, North 00° 00' 30" West, 46.00 feet more or less to the north boundary of Sam Avenue right-of-way; thence along the north boundary of Sam Avenue right-of-way, South 89° 56' 24" West, 450.43 feet more or less; thence along the arc of a 20.00 foot curve to the right with a central angle of 90° 02' 35", a distance of 31.43 feet; thence along the east right-of-way of Woodbine Avenue, South 00° 01' 01" East 66.02 feet more or less to the true point of beginning, containing 0.5 acres, more or less.

Prepared by: Cunningham Engineering Corp.

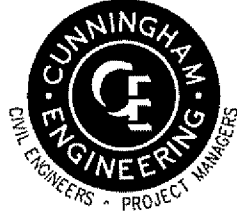
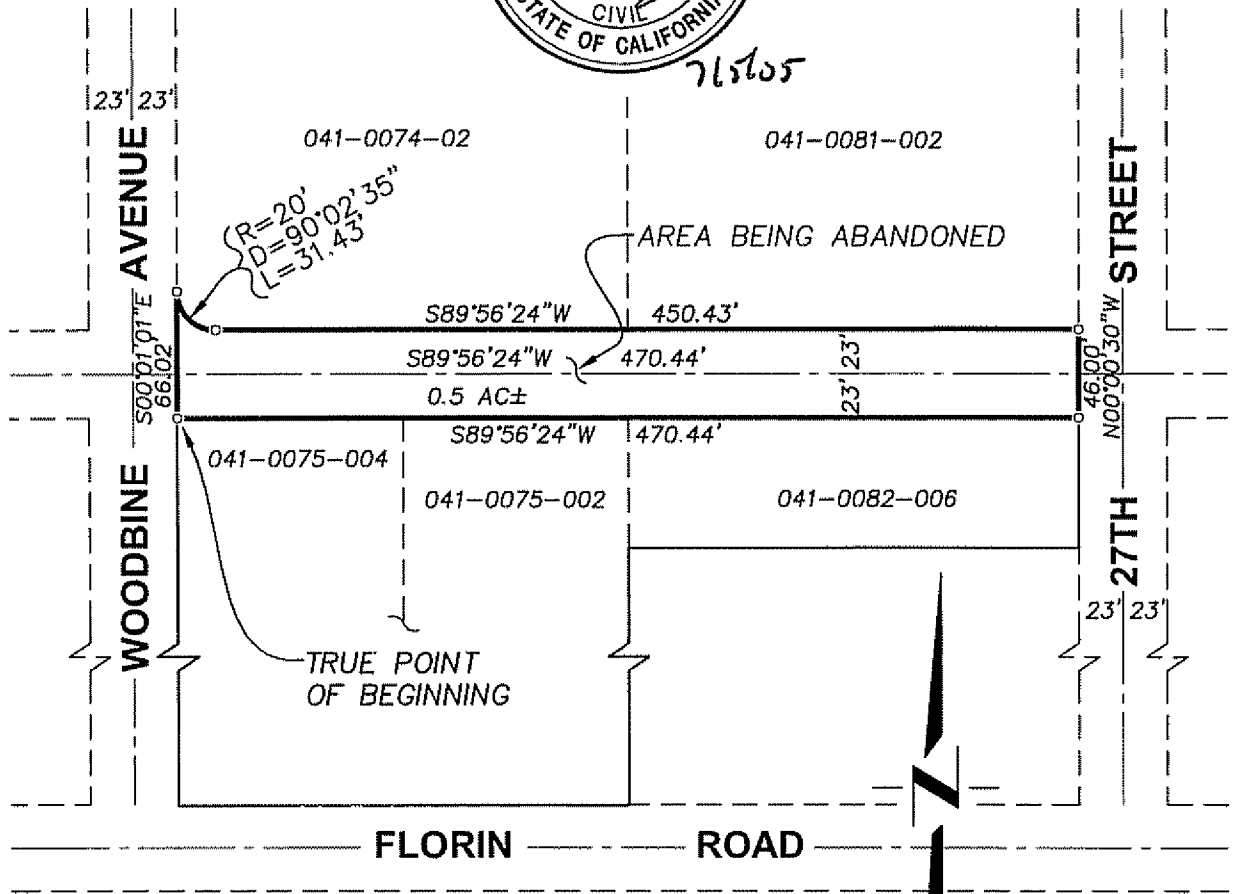


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EXHIBIT "B"

ABANDONMENT EXHIBIT

Sam Avenue between Woodbine Avenue to 27th Street
 CITY OF SACRAMENTO COUNTY OF SACRAMENTO STATE OF CALIFORNIA
 CUNNINGHAM ENGINEERING
 JUNE 17, 2005 SCALE: 1" = 100'
 SHEET 1 OF 1 SHEETS



2940 Spafford Street,
 Suite 200 Davis, CA
 95616 530.758.2026
 Fax: 530.758.2066
 cec@cecdavis.com
 CEC Project No. 792 01

