



APPROVED
BY THE CITY COUNCIL

1.4

JAN 4 1994

OFFICE OF THE
CITY CLERK

DEPARTMENT OF
PUBLIC WORKS

ENGINEERING DIVISION

CITY OF SACRAMENTO
CALIFORNIA

927 TENTH STREET
ROOM 200
SACRAMENTO, CA
95814-2700

PH 916-264-7120
FAX 916-264-7903

November 8, 1993

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

PH 916-264-5282
FAX 916-264-7276

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: ABANDONMENT OF THE EAST-WEST ALLEY IN THE BLOCK BOUNDED BY CARNATION AVENUE, INDIAN LANE, LOCK AVENUE AND YREKA AVENUE (FORMERLY YEE AVENUE) - SUMMARY ABANDONMENT #93-13

LOCATION/COUNCIL DISTRICT:

East-west alley in the block bounded by Carnation Avenue, Indian Lane, Lock Avenue and Yreka Avenue (formerly Yee Avenue)
Council District 5

RECOMMENDATION:

This report recommends that the City Council:

- Adopt the attached resolution regarding findings of fact.
- Approve the proposed abandonment of the east-west alley located in the block bounded by Carnation Avenue, Indian Lane, Lock Avenue and Yreka Avenue (formerly Yee Avenue).

CONTACT PERSON:

Glenn Marshall, Associate Engineer,
264-5517

FOR COUNCIL MEETING OF:

January 4, 1994

City Council
Summary Abandonment #93-13
November 8, 1993

SUMMARY:

The City received a request from Ron Sharma to abandon the 16 feet-wide, east-west alley in the block bounded by Carnation Avenue, Indian Lane, Lock Avenue, and Yreka Avenue (formerly Yee Avenue), see Exhibit A. City departments and utility companies have reviewed the proposed abandonment and have no objections to the proposed abandonment provided public easements are retained to permit maintenance of existing or future facilities. Approval of the proposed abandonment is recommended.

COMMITTEE/COMMISSION ACTION:

None

BACKGROUND:

The City has received a request from Ron Sharma to abandon the 16 feet-wide east-west alley in the block bounded by Carnation Avenue, Indian Lane, Lock Avenue and Yreka Avenue (formerly Yee Avenue). The applicant proposes to subdivide the subject property and build 24 single family residences. In order to record the Final Map of Carnation Garden Village 2B, the impassable alley, which has never been improved, must first be abandoned.

Utility companies and City departments have reviewed this request for abandonment. There are no objections to the proposed abandonment provided public easements are retained to permit maintenance of existing or future facilities. 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 alley proposed to be abandoned is impassable (§8331), and of no foreseeable use to the City. Approval and recordation of the attached resolution will cause the abandonment to be effective.

Staff has reviewed the request to abandon and finds it in conformance 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
Summary Abandonment #93-13
November 8, 1993

FINANCIAL CONSIDERATIONS:

The applicant provided all the documentation required for the abandonment and paid a fee to fund staff time required to process the abandonment application. There is no expense to the City.

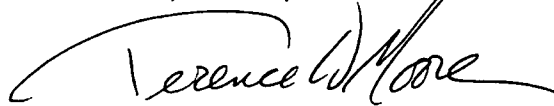
POLICY CONSIDERATIONS:

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,



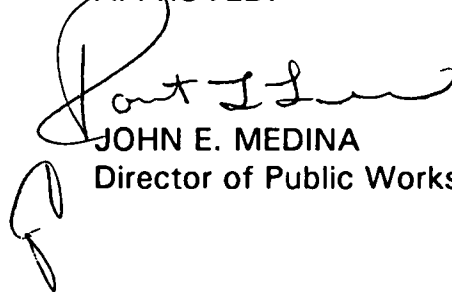
TERENCE W. MOORE
Engineering Division Manager

RECOMMENDATION APPROVED:



WILLIAM H. EDGAR
City Manager

APPROVED:



JOHN E. MEDINA
Director of Public Works

JV:rn
DS2-13AB.B
11.2393.2

Attachment

RESOLUTION NO. 94-003

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 THE EAST-WEST
ALLEY IN THE BLOCK BOUNDED BY
CARNATION AVENUE, INDIAN LANE,
LOCK AVENUE, AND YREKA AVENUE
(FORMERLY YEE AVENUE)

ABANDONMENT PROCEEDING NO. 93-13

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

1. The City received a petition to abandon from owners of property within the City of Sacramento, requesting the City Council to consider a summary abandonment of subject property:
2. The public alley 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, more particularly described as follows:

Being all that portion of Lots 109, 110, 111 and 112 as said Lots are shown on that Plat of Camellia Acres, filed for record in the Office of the Recorder of said county in Book 15 of Maps, at Page 21 described as follows: All of that 16 feet-wide, east-west alley located in the block bounded by Carnation Avenue, Indian Lane, Lock Avenue, and Yreka Avenue (formerly Yee Avenue).

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 westerly 230 feet of the existing right-of-way, 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 westerly 230 feet of the alley 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 alley 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 alley 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 street described above have other access and said abandonment will not create any land-locked parcels; and
 - d. The alley to be vacated 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

DS2-13AB.B
11.2393.2

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

EXHIBIT A

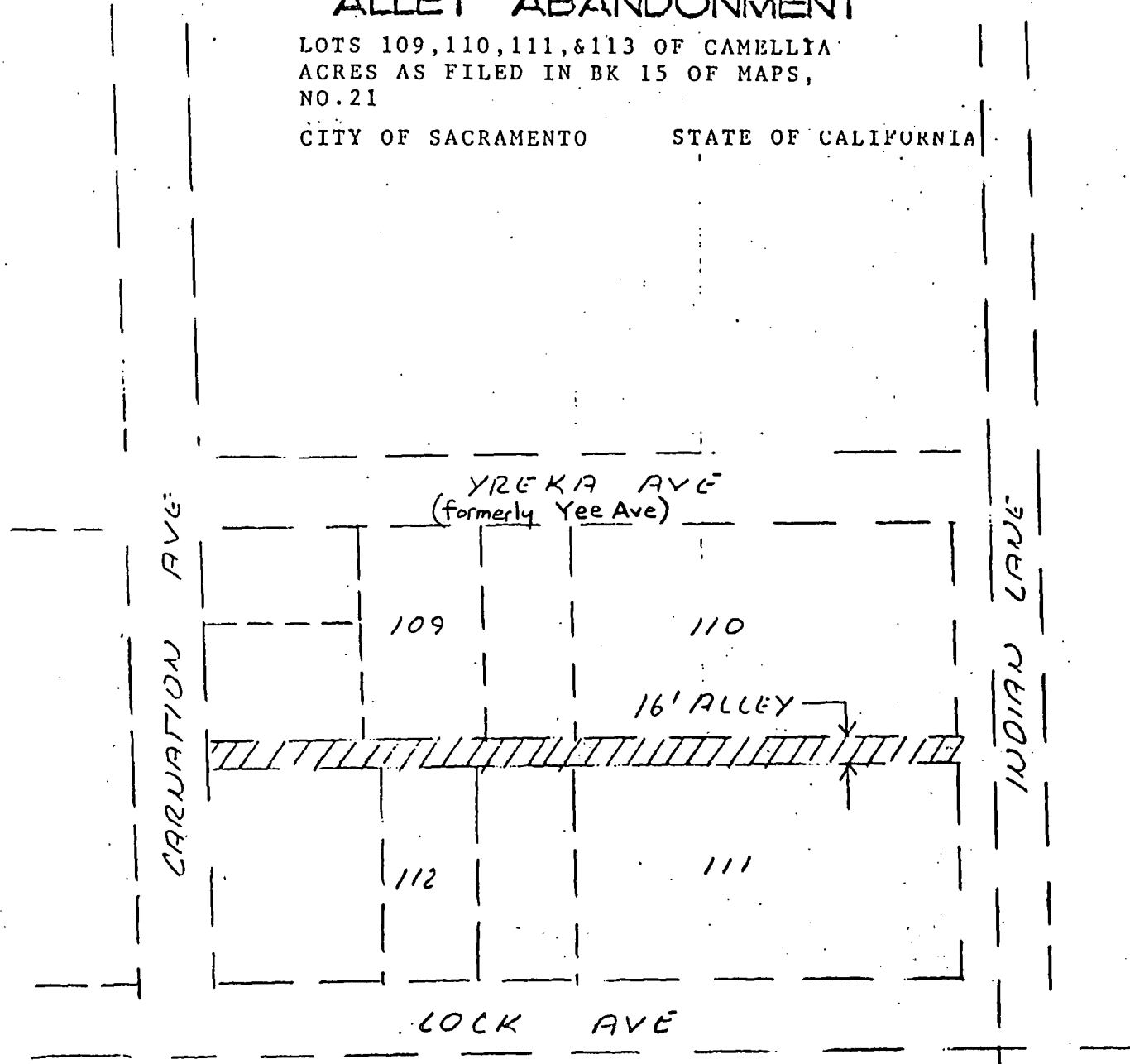
RIGHT-OF-WAY AND ALLEY ABANDONMENT

LOTS 109, 110, 111, & 113 OF CAMELLIA ACRES AS FILED IN BK 15 OF MAPS, NO. 21

CITY OF SACRAMENTO STATE OF CALIFORNIA



SCALE
1" = 100'



SIGNED 10-27-93

EXHIBIT A