

**RESOLUTION NO. 2005-326**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF:  MAY 17 2005

**THE SUMMARY VACATION (ABANDONMENT) OF THE EXCESS RIGHT-OF-WAY PORTION OF EXPOSITION BOULEVARD BETWEEN TRIBUTE ROAD AND BUSINESS 80 SOUTHBOUND EXPOSITION BOULEVARD OFF RAMP WITHIN COUNCIL DISTRICT 3**

**VACATION PROCEEDING NO. VP05-03**

**WHEREAS**, the City received a request from "LBD INVENSTMENT, LLC" to vacate the subject public road right-of-way within the City of Sacramento; and

**WHEREAS**, the City Council would consider the vacation in compliance with the State of California, Streets and Highways Code, Section 8330-8336, and

**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:**

Portion of Exposition Boulevard between Tribute Road and Business 80 Southbound Exposition Boulevard off ramp specifically described in Exhibit "A" and Exhibit "B", 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. The applicant must apply and obtain approval for the vacation of the portion Exposition Boulevard between the area subject for vacation and Interstate 80 off-ramp and acquire the road in fee from the State of California to the satisfaction of the Development Services Department – Development Engineering and Finance Division.

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3. All conditions specified in paragraph 2 for 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.
4. Once the conditions in paragraph 3 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.

**HEATHER FARGO**

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MAYOR

ATTEST:

**SHIRLEY CONCOLINO**

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CITY CLERK

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EXHIBIT A

LEGAL DESCRIPTION  
Right-of-Way Abandonment

PARCEL A

All that certain real property, situate in the County of Sacramento and being a portion of that certain City of Sacramento right-of-way known as Exposition Blvd. as shown on that certain map entitled "Plat of Point West" being more particularly described as follows:

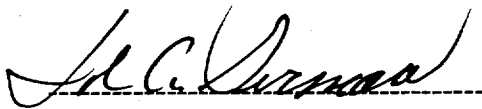
Commencing the northeasterly right-of-way intersection of said Exposition Blvd. and that certain road known as Tribute Road, said intersection also being the southwest corner Parcel 2 as shown on that certain Parcel Map "PARCEL G-POINT WEST", recorded in the office of the county recorder of Sacramento County on November 30, 1973 in book 15 of maps, at page 38; thence, from said point of beginning and along the northerly right-of-way of said Exposition Blvd., said right-of-way also being the southerly line of said Parcel 2, S 69° 49' 14" E 71.70 feet being the westerly terminus of that course; thence at a right angle to the south line of said Parcel 2, S 20° 10' 46" W 48.30 feet to the existing back of sidewalk in the said City of Sacramento right-of-way; thence, along the back of said sidewalk and parallel with said northerly right-of-way of said Exposition Blvd., N 69° 49' 14" W 46.49 feet; thence continuing along the back of said sidewalk through the arc of a curve being concave to the northeast with a radius of 30.00 feet and subtended by a chord bearing of N 24° 49' 14" W 42.43 feet; thence continuing along said back of walk N 20° 10' 46" W 18.30 feet; thence S 69° 49' 14" E 4.79 feet to the **PONT OF BEGINNING**.

Containing 3,501.00 sq ft more or less.

Reserving a 10 foot wide easement for drainage purposes over the Northerly 10 feet of the Southerly 27 feet of the above described property.

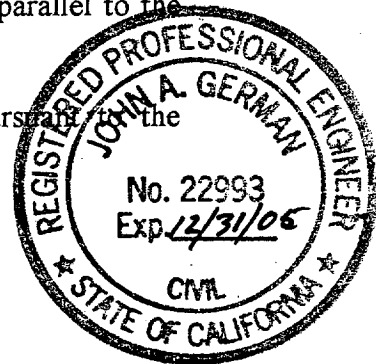
Reserving a 10 foot wide easement for Public Utilities northeasterly and parallel to the back of said sidewalk along said Exposition Blvd. and Tribute Road.

This legal description was prepared by me or under my direction pursuant to the requirements of the Professional Land Surveyor's Act.



John A. German, R.C.E. 22993  
License Expires 12/31/05

3/21/05  
Date



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