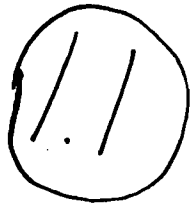




APPROVED
BY THE CITY COUNCIL



OCT 13 1998

CITY OF SACRAMENTO
CALIFORNIA

OFFICE OF THE
CITY CLERK

DEPARTMENT OF
PUBLIC WORKS

TECHNICAL SERVICES DIVISION

DEVELOPMENT
SERVICES
1231 I STREET, STE 200
SACRAMENTO, CA
95814-2988
PH 916-264-7995
FAX 916-448-8450

September 28, 1998

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: RESOLUTION OF INTENTION FOR ABANDONMENT OF CAPITOL AVENUE FROM 15TH STREET TO 17TH STREET AND TWO ALLEYS WITHIN THE STATE OF CALIFORNIA'S "EAST END OFFICE PROJECT" WITHIN COUNCIL DISTRICTS 1, 3, & 4; ABANDONMENT PROCEEDINGS NO. AP98-02

LOCATION/COUNCIL DISTRICT:

Capitol Avenue from 15th Street to 17th Street and the two alleys north of Capitol Avenue from 15th Street to 17th Street located within Council Districts 1, 3, & 4.

RECOMMENDATION:

This report recommends that the City Council adopt the Resolution of Intention to initiate the abandonment proceedings for the street and alleys at the location listed and set a hearing date of December 1, 1998, at 2:00 p.m. established by the City Clerk.

CONTACT PERSON: Ron Perry, Engineering Technician III, 264-8298
Steve Pyburn, Associate Engineer, 264-7481

FOR COUNCIL MEETING OF: October 13, 1998

SUMMARY:

The City received a request from the State of California, Department of General Services requesting the abandonment of:

City Council
ROI for State of California East End Office Project (AP98-02)
September 28, 1998

- Capitol Avenue from 15th Street to 17th Street.
- Two alleys north of Capitol Avenue from 15th Street to 17th Street.

COMMITTEE/COMMISSION:

None required.

BACKGROUND:

The State of California has requested an abandonment from the City to construct the East End Office Project. The State owns the property adjoining the street and alleys proposed to be abandoned. The City has no objections to the above-described abandonment, provided conditions are met.

City departments and the utility companies have reviewed this request for abandonment and have no objections. Letters regarding this abandonment are on file with the Department of Public Works, Development Services. See Exhibit "A" for time schedule of abandonment.

Staff has reviewed the request to abandon and finds it in conformance with City Guidelines for Street Closures (City Resolution No. 95-667) and the State of California, Streets and Highways code (Section 8300 et. seq.). Approval of the request to abandon is recommended.

FINANCIAL CONSIDERATIONS:

All abandonment costs are being paid by the applicant, the State of California.

ENVIRONMENTAL CONSIDERATIONS:

The Neighborhoods, Planning and Development Services Department is reviewing this project. The project involves the alteration of an existing public right-of-way with no expansion of the use presently existing. There is also no substantial change to existing traffic flow or physical features in the City. Environmental review of this abandonment is included in the East End Office Draft EIR. That DEIR is currently available for public review. The final EIR is due November 30, 1998.

POLICY CONSIDERATIONS:

If the City Council approves the abandonment of the street and alleys affected by this project it will be consistent with Council priorities of public safety and neighborhood revitalization and enhancement.

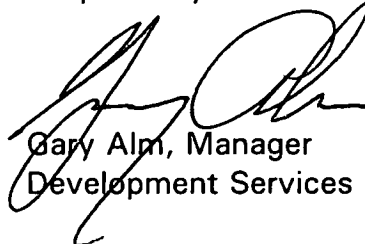
City Council
ROI for State of California East End Office Project (AP98-02)
September 28, 1998

- 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. 96-176, provides for abandonment of streets and alleys subject to the following criteria:
 - There is a benefit to the community.
 - Access is not adversely inhibited.
 - The adjacent property owners support the abandonment.
- This abandonment is consistent with these policies.

MBE/WBE EFFORTS:

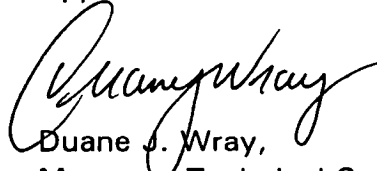
None, since no goods or services are procured with this action.

Respectfully submitted,



Gary Alm, Manager
Development Services & Special Districts

Approved:



Duane J. Wray,
Manager, Technical Services

RECOMMENDATION APPROVED:

APPROVED:



WILLIAM H. EDGAR
City Manager



Michael Kashiwagi
Director of Public Works

GA:RP:dt
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**SCHEDULE FOR REGULAR ABANDONMENT PROCEEDING
TO ABANDON CAPITOL AVENUE AND ALLEYS WITHIN THE EAST END OFFICE
PROJECT BY THE STATE OF CALIFORNIA (AP98-02)**

LETTER TO CITY CLERK/GET ON CITY COUNCIL AGENDA	AUGUST 31
EAST END EIR REVIEW DRAFT	SEPT 4
DRAFT OF RESOLUTION OF INTENTION LETTER SUBMITTED	SEPT 28
DRAFT OF HEARING LETTER SUBMITTED	OCT 12
RESOLUTION OF INTENTION LETTER TO CITY COUNCIL	OCT 13
LETTERS SENT TO PROPERTY OWNERS	OCT 14
POSTING ON ALLEYS/STREETS	OCT 15
COPY OF RESOLUTION PUBLISHED IN DAILY RECORDER	OCT 16 & OCT 23
EAST END EIR COMMENTS DUE	OCT 19
EAST END EIR APPROVAL	NOV 30
PUBLIC HEARING AT CITY COUNCIL/FINAL APPROVAL	DEC 1

APPROVED
BY THE CITY COUNCIL

OCT 13 1998

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 98-512

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION OF INTENTION TO ABANDON CAPITOL AVENUE FROM 15TH STREET TO 17TH STREET AND TWO ALLEYS WITHIN THE STATE OF CALIFORNIA'S " EAST END OFFICE PROJECT" WITHIN COUNCIL DISTRICTS 1, 3,& 4

ABANDONMENT PROCEEDING NO. AP98-02

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

1. Pursuant to the standards and procedures provided in the Public Streets, Highways and Service Easements Vacation law, California Streets and Highways Code Section 8300 et seq., the City Council hereby declares its intention to abandon Capitol Avenue from 15th Street to 17th Street and the two alleys north of Capitol Avenue from 15th Street to 17th Street located within Council Districts 1, 3, & 4 in the City of Sacramento, specifically described below and shown on Exhibit B:

Alley A

All that portion of public road easement in the City of Sacramento, County of Sacramento, State of California, described as follows:

All of the Alley in the Block bounded by L Street, Capitol Avenue (formerly known as M Street), 15th Street, and 16th Street, according to the official map or plat thereof. Containing 0.148 acres, more or less.

Alley B

All that portion of public road easement in the City of Sacramento, County of Sacramento, State of California, described as follows:

All of the Alley in the Block bounded by L Street, Capitol Avenue (formerly known as M Street), 16th Street, and 17th Street, according to the official map or plat thereof. Containing 0.148 acres, more or less.

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

Capitol Avenue, bounded by 15th and 16th Street

All that portion of public road easement in the City of Sacramento, County of Sacramento, State of California, described as follows:

All of that portion of Capitol Avenue (formerly known as M Street), lying between the prolongation of the easterly right-of-way on 15th Street and the prolongation of the westerly right-of-way line of 16th Street, according to the official map or plat thereof. Containing 0.738 acres, more or less.

Capitol Avenue, bounded by 16th and 17th Street

All that portion of public road easement in the City of Sacramento, County of Sacramento, State of California, described as follows:

All of that portion of Capitol Avenue (formerly known as M Street), lying between the prolongation of the easterly right-of-way on 16th Street and the prolongation of the westerly right-of-way line of 17th Street, according to the official map or plat thereof. Containing 0.739 acres, more or less.

The proposed abandonment contains approximately 1.773 acres.

2. The City Council finds that the above-described public portion of the street and alleys are not necessary for present or prospective public use in that:
 - a. It is not necessary for through traffic circulation;
 - 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;
 - c. The parcels adjacent to the abandoned street and alleys described above have other access and said abandonment will not create any land-locked parcels; and
 - d. The portion of the street and alleys 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.
3. The City Council will consider this proposed abandonment at a public hearing on December 1, 1998, at 2:00 p.m. in the Council Chambers, City Hall, 915 I Street, Sacramento, California.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

4. The City Clerk is directed to publish the Notice of Hearing of the proposed vacation in the Daily Recorder, a newspaper published five (5) days a week, as required by law, and the Notice of Hearing shall be posted along the street and alleys to be vacated in accordance with the provisions of Sections 8322 and 8323 of the Streets and Highways Code of the State of California.

MAYOR

ATTEST:

CITY CLERK

s:techsvs\projdel\rperry\corres\ap98-02
09.0898.1

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

EXHIBIT B

CAPITOL PARK

5TH STREET

L STREET

ALLEY "A"

TO BE ABANDONED

CAPITOL AVENUE

TO BE ABANDONED

20'

20'

50'

50'

16TH STREET

L STREET

ALLEY "B"

TO BE ABANDONED

CAPITOL AVENUE

TO BE ABANDONED

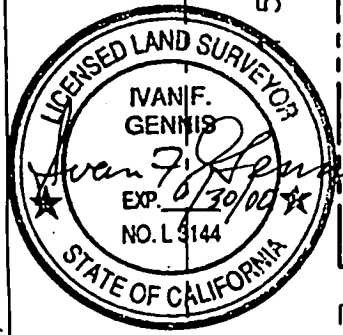
20'

20'

50'

50'

17TH STREET



SCALE: 1"=100'

DATE 06/22/98 TIME 07:53
SCALE 1" = 100' T.M. 5.87
SERVER SASI SERVICE N.I.S.
PATH N:\AS1300\SA1300.DWG
DRAWING NO. 08AND.SHI.DWG.DWG
PLOTING DEV. NONE
DESIGNER EEJ PROJ MOR

GENNIS AND ASSOCIATES, ENGINEERS
1750 CREEKSIDE OAKS DRIVE SUITE 200
SACRAMENTO, CA 95833

PLAT OF
STREETS AND ALLEYS
TO BE ABANDONED

JOB NO
SA1300
1 OF 1 SHEETS

ABANDONMENT PROCEEDING NO. AP 98-02
AFFIDAVIT OF MAILING NOTICES

STATE OF CALIFORNIA)
) : SS
COUNTY OF SACRAMENTO)

Valerie Burrowes, the City Clerk being duly sworn, deposes and says that she is a citizen of the United States of America, over 21 years of age, and is competent to be a witness on hearing of the matter mentioned in this affidavit, that she is the City Clerk of the City of Sacramento, Sacramento County, California, and that respecting Resolution No. 98-512, entitled Resolution of Intention for Abandonment Proceeding No. 98-02, which the City Council of the City of Sacramento adopted on October 13, 1998, she mailed on October 20, 1998 a copy of the Resolution of Intention to all persons adjoining the proposed abandonment and the effected utility companies. A copy of said names and addresses and the Resolution of Intention are attached hereto and made a part hereof.

Valerie A. Burrowes
CITY CLERK

STATE OF California)
) SS
COUNTY OF Sacramento)

On this 21st day of October, in the year 1998, before me —
LYNNE HALSTED, personally appeared VALERIE A BURROWES
_____, personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by ~~his/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal,

Signature Ronald J. Perry



