

RESOLUTION NO. 2019-0002

Adopted by the Sacramento City Council

January 8, 2019

Summary Vacation of the Easterly 2.5' Public Utility Easement Adjacent to Mabry Drive between Portage Way and Bowden Square Way, Within Council District 1 Proceeding No. VAC18-0006

BACKGROUND

- A. KB Home Sacramento, Inc., the property owner of the lot depicted in the Final Map "The Hamptons Village 8 Phase 2" (403 B.M. 3) is requesting the vacation of a 2.5-foot portion of a 12.5-foot Public Utility Easement for the purpose of development of a new construction project of single-family units known as "The Hamptons Village."
- B. The proposed easement vacation is being requested to facilitate the new construction project of single-family units known as "The Hamptons Village."
- C. The proposed Public Utility Easement vacation constitutes the easterly 2.5-foot width of the easement along Mabry Drive running north/south from Portage Way to Bowden Square Way as shown on Exhibits A and B of this Resolution. This easement vacation spans approximately 1,550 square feet and runs an estimated 624 linear feet.
- D. The City of Sacramento's Planning Director reviewed this vacation proceeding pursuant to Sacramento City Code 17.912.030 and State of California Government Code Section 65402 and concluded that this vacation is consistent with the City of Sacramento's 2035 General Plan.

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

- Section 1. A 2.5-foot portion of the Public Utility Easement, more specifically described in Exhibits A and B of this Resolution, is vacated.
- Section 2. The vacation of the 2.5-foot portion of the Public Utility Easement, more specifically described in Exhibits A and B, is made pursuant to the State of California Streets and Highways Code, Division 9, Part 3, Chapter 4, Section 8333 (c) which provides the legislative body may summarily vacate an easement that is determined to be excess easement and there are no public facilities located within the easement.

Section 3. The City Council finds that the vacation has been submitted to and reported on by the City of Sacramento's Planning Director and finds that the vacation is consistent with the City of Sacramento's 2035 General Plan.

Section 4. Once this Resolution has been approved, the City Clerk shall cause a certified copy of this Resolution, attested by City Clerk under seal, to be recorded. The vacation shall be effective when the City Clerk records this Resolution in the office of the County Recorder.

Section 5. Exhibits A and B are incorporated into and made part of this resolution.

Table of Contents:

Exhibit A - Legal Description of Area to be Vacated Exhibit B -
Plat/Map of Area to be Vacated

Adopted by the City of Sacramento City Council on January 8, 2019, by the following vote:

Ayes: Members Ashby, Guerra, Hansen, Harris, Jennings, Schenirer, and Warren

Noes: None

Abstain: None

Absent: Member Carr and Mayor Steinberg

Attest:

Mindy Cuppy Digitally signed by Mindy Cuppy
Date: 2019.01.15 15:54:33
-08'00'

Mindy Cuppy, City Clerk

The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.

EXHIBIT 'A'
LEGAL DESCRIPTION
VACATION OF PUBLIC UTILITY EASEMENT

AREA 1:

THE EASTERLY 2.5 FEET OF THAT PORTION OF THE 12.5 FOOT PUBLIC UTILITY EASEMENT DEDICATED WITH THAT CERTAIN PARCEL MAP TITLED "MASTER PARCEL MAP OF SCHUMACHER PROPERTY PHASE 4", FILED FOR RECORD IN BOOK 185 OF PARCEL MAPS, AT PAGE 11, SACRAMENTO COUNTY RECORDS, LYING EASTERLY OF MABRY DRIVE, AS SHOWN ON SHEET 4 OF THAT CERTAIN FINAL MAP TITLED "THE HAMPTONS VILLAGE 8 PHASE 2", FILED FOR RECORD IN BOOK 403 OF MAPS, AT PAGE 3, SACRAMENTO COUNTY RECORDS.

EXCEPTING THEREFROM, THE NORTHERLY 10.00 FEET OF SAID 12.5 FOOT PUBLIC UTILITY EASEMENT, LYING SOUTHERLY OF THE SOUTHERLY RIGHT-OF-WAY LINE OF PORTAGE WAY, AS SHOWN ON SAID FINAL MAP.

AREA 2:

THE EASTERLY 2.5 FEET OF THAT PORTION OF THE 12.5 FOOT PUBLIC UTILITY EASEMENT DEDICATED WITH THAT CERTAIN PARCEL MAP TITLED "MASTER PARCEL MAP OF SCHUMACHER PROPERTY PHASE 9", FILED FOR RECORD IN BOOK 198 OF PARCEL MAPS, AT PAGE 4, SACRAMENTO COUNTY RECORDS, LYING EASTERLY OF MABRY DRIVE, AS SHOWN ON SHEET 4 OF THAT CERTAIN FINAL MAP TITLED "THE HAMPTONS VILLAGE 8 PHASE 2", FILED FOR RECORD IN BOOK 403 OF MAPS, AT PAGE 3, SACRAMENTO COUNTY RECORDS.

EXCEPTING THEREFROM, THE SOUTHERLY 10.00 FEET OF SAID 12.5 FOOT PUBLIC UTILITY EASEMENT, LYING NORTHERLY OF THE NORTHERLY RIGHT-OF-WAY LINE OF BOWDEN SQUARE WAY, AS SHOWN ON SAID FINAL MAP.

SEE EXHIBIT 'B', PLAT TO ACCOMPANY DESCRIPTION, ATTACHED HERETO AND MADE A PART HEREOF.

END OF DESCRIPTION

SEPTEMBER 26, 2018

DENNIS L. BARBER, PLS 8067

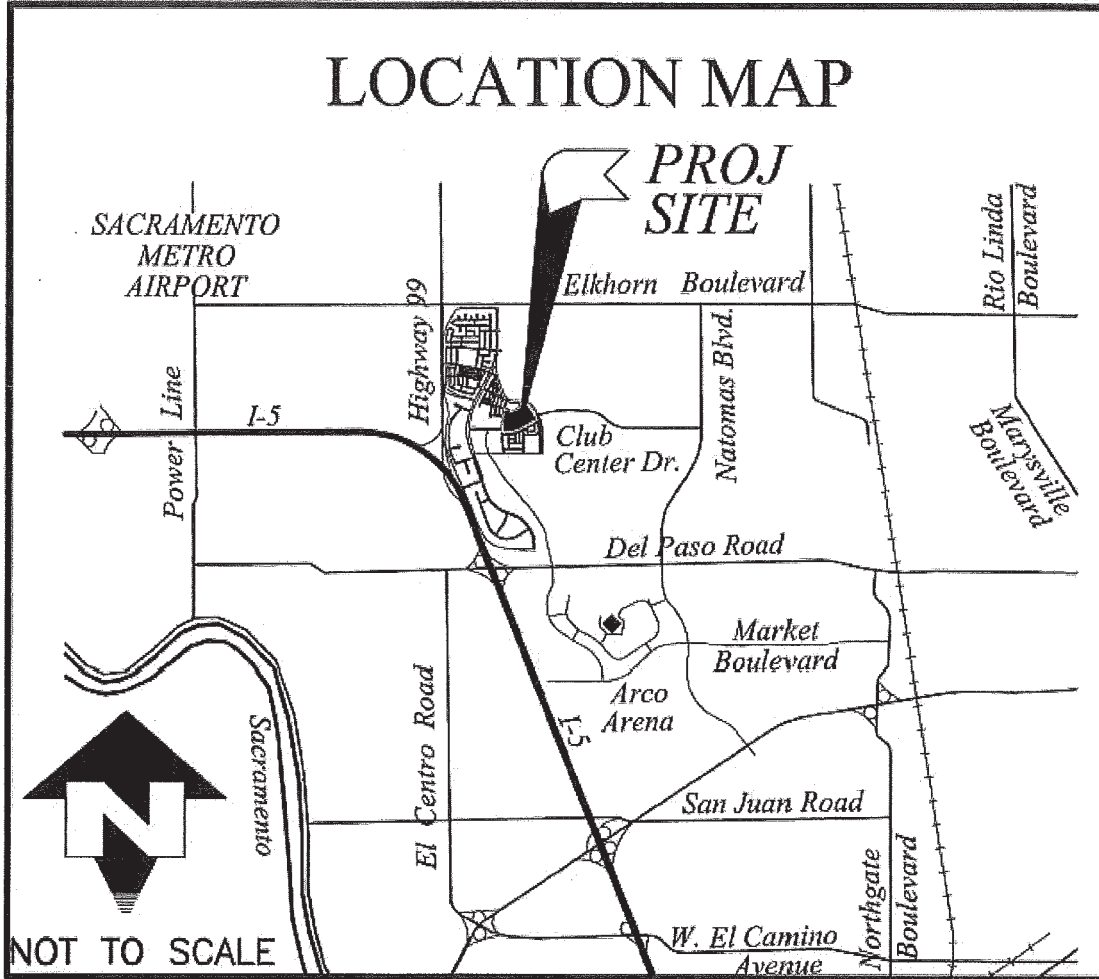


PREPARED BY WOOD RODGERS, INC
SACRAMENTO, CALIFORNIA

EXHIBIT 'B'
PLAT TO ACCOMPANY
DESCRIPTION

THE HAMPTONS VILLAGE 8 PHASE 2
VACATION OF PUBLIC UTILITY EASEMENT
CITY OF SACRAMENTO
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

LOCATION MAP



LEGEND:

- I.O.D. IRREVOCABLE OFFER OF DEDICATION
- O.R. OFFICIAL RECORDS OF SACRAMENTO COUNTY
- P.U.E. PUBLIC UTILITY EASEMENT
- (1) 399 B.M. 2
- (2) 344 B.M. 4
- (3) 185 P.M. 11
- (4) 198 P.M. 4



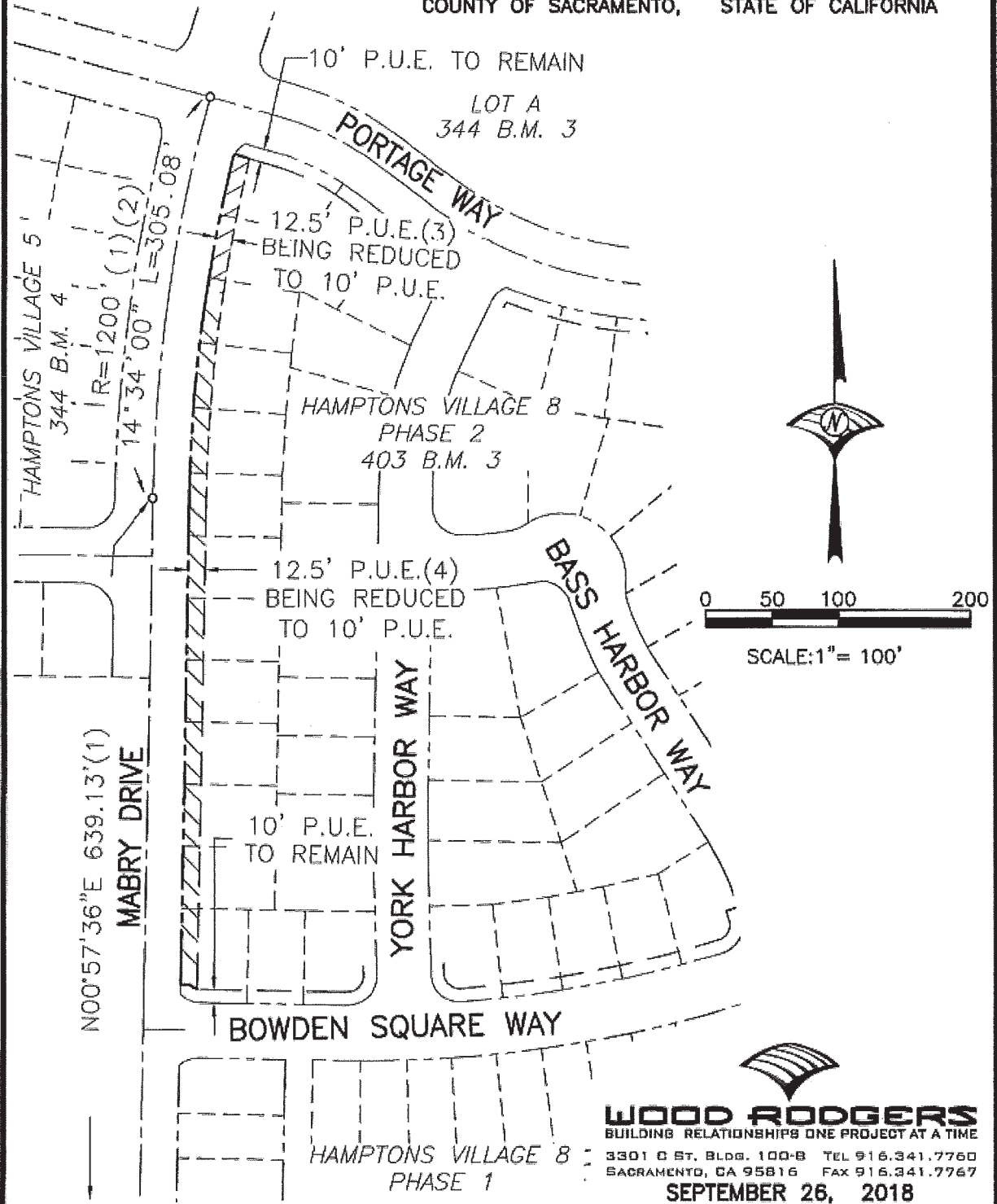
WOOD RODGERS
 BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
 3301 O ST, BLDG. 100-B TEL 916.341.7760
 SACRAMENTO, CA 95816 FAX 916.341.7767

SEPTEMBER 26, 2018
 1217.037 SHEET 1 OF 3

EXHIBIT 'B'

PLAT TO ACCOMPANY
DESCRIPTION

THE HAMPTONS VILLAGE 8 PHASE 2
VACATION OF PUBLIC UTILITY EASEMENT
CITY OF SACRAMENTO
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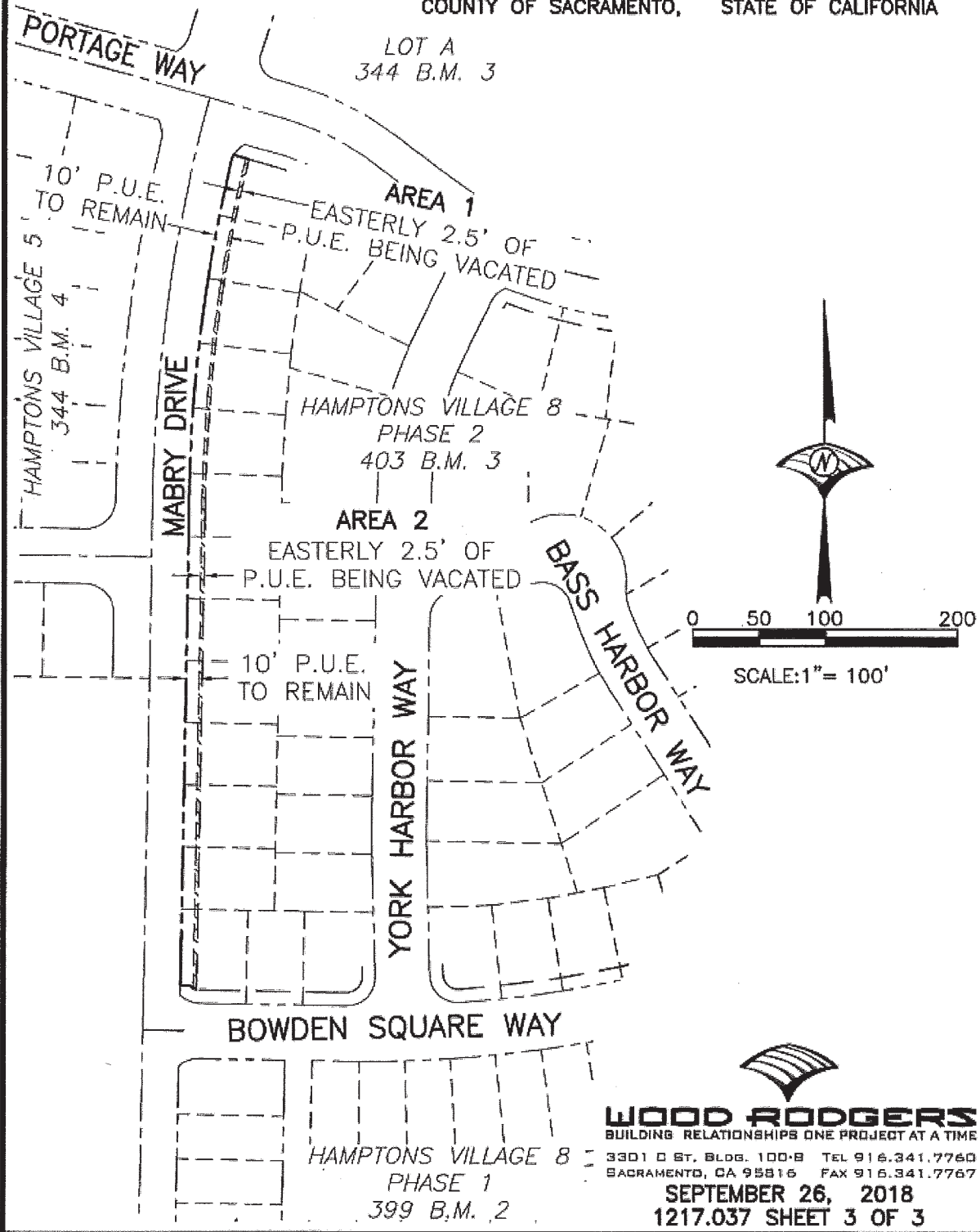
SEPTEMBER 26, 2018
1217.037 SHEET 2 OF 3

EXHIBIT 'B'

PLAT TO ACCOMPANY
DESCRIPTION

**THE HAMPTONS VILLAGE 8 PHASE 2
VACATION OF PUBLIC UTILITY EASEMENT**

CITY OF SACRAMENTO
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA



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1217.037 SHEET 3 OF 3