

## RESOLUTION NO. 2019-0218

Adopted by the Sacramento City Council

June 4, 2019

### **The Vacation of the Alley Bounded by Santiago Avenue, El Camino Avenue, Evergreen Street, and Lexington Street, Within Council District 2 Proceeding No. VAC16-0014**

#### **BACKGROUND**

- A. Woolard Enterprises, Inc., property and business owner of 1051 El Camino Avenue's "RVs of Sacramento," is requesting the vacation of the right-of-way easement of the alley bounded by the Santiago Avenue, El Camino Avenue, Evergreen Street, and Lexington Street.
- B. Said property owner owns all the parcels in that block bounded by said streets. The property owner is requesting the vacation of the right-of-way easement along the alley to properly pave the business' lot space for their RVs.
- C. Said right-of-way easement was dedicated along the alley per the dedication on the map "J.W. Bird Subdivision" (16 BM 32)
- 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 General Plan.

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

- Section 1. The public alley bounded by Santiago Avenue, El Camino Avenue, Evergreen Street, and Lexington Street, more specifically described in Exhibits A and B of this Resolution, is unnecessary for present or prospective use and is vacated subject to the reservation below in Section 2 and subject to the conditions specified in Section 4 of this Resolution.
- Section 2. Pursuant to Streets and Highways Code Section 8306 and 8340, the City of Sacramento reserves a public service easement which is more specifically described in Exhibits A and B of this resolution, for all the purposes and reasons described in Streets and Highways Code Sections 8306 and 8340 including, but not limited to, the right at any time, or from time to time, to construct, maintain,

operate, replace , remove, or renew any public service facilities in, upon, or over and across the subject property to be vacated.

Section 3. The vacation of the right-of-way easement, more specifically described in Exhibits A and B, is made pursuant to the California Streets and Highways Code, Division 9, Part 3, Chapters 2 and 3, Sections 8300-8325.

Section 4. The vacation is subject to the following condition:

The applicant must provide 24-hour access to the alley for all utility companies, including City of Sacramento’s Department of Utilities, that may have facilities in need of service and maintenance.

Section 5. 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 6. 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 a City designee records this Resolution in the office of the County Recorder.

Section 7. 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 June 4, 2019, by the following vote:

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

Noes: None

Abstain: None

Absent: Mayor Steinberg

Attest:

**Mindy Cuppy**

Digitally signed by Mindy Cuppy  
Date: 2019.06.07 09:45:57  
-07'00'

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 ALLEY

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA,  
COUNTY OF SACRAMENTO, CITY OF SACRAMENTO, AND IS DESCRIBED AS  
FOLLOWS:

THE PUBLIC ALLEY AS SHOWN ON THE PLAT OF "J.W. BIRD SUBDIVISION  
OF LOTS 3 AND 4 IN BLOCK 55, NORTH SACRAMENTO SUBDIVISION NO. 1",  
FILED IN THE OFFICE OF THE COUNTY RECORDER OF SACRAMENTO  
COUNTY, JULY 25, 1921, IN BOOK 16 OF MAPS, MAP NO. 32

RESERVING, HOWEVER, A 15 FOOT WIDE PUBLIC SERVICES EASEMENT.

END OF DESCRIPTION



