

RESOLUTION NO. 2001-72

**RESOLUTION OF INTENTION TO VACATE A RIGHT-OF-WAY,
LOCATED SOUTH OF A RESIDENTIAL PROJECT CALLED SHELDON ESTATES II
UNIT 1B AND NORTH OF THE PROPERTIES OWNED BY EAST LAWN, INC.
PURSUANT TO CHAPTER 3 OF THE PUBLIC STREET, HIGHWAYS
AND SERVICE EASEMENT LAW**

BE IT RESOLVED AND ORDERED that it is the intention of the Elk Grove City Council to vacate a right-of-way, pursuant to the provisions of Chapter 3 of the Public Streets, Highways, and Service Easement Law commencing at Section 8320 of the Streets and Highways Code, described as follows:


SEE EXHIBIT "A"

A map showing the portion of area to be vacated is on file in the Office of the Clerk of the Elk Grove City Council (8400 Laguna Palms Way), Elk Grove, California, and is available for public inspection during normal office hours.

BE IT FURTHER RESOLVED AND ORDERED that the proposed vacation is set for a hearing at 6:30 p.m. or as soon thereafter as the matter can be heard, on the 17th day of October, 2001 at the City Hall, 8400 Laguna Palms Way, Elk Grove, California.

BE IT FINALLY RESOLVED that a copy of this Resolution shall be posted at least two weeks before the above hearing on the front window of City Hall of the City of Elk Grove at 8400 Laguna Palms Way, Elk Grove, California, and notices of the hearing shall be published and posted in the manner prescribed by Sections 8322 and 8323 of the Street and Highways Code.

PASSED AND ADOPTED by the Elk Grove City Council, State of California,
this 19th day of September, 2001.



MICHAEL P. LEARY, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



TONY MANZANETTI,
CITY ATTORNEY

AYES: Leary, Scherman, Cooper,
Briggs, Soares
NOES: None
ABSTAIN: None
ABSENT: None

Proposal is to abandon a right-of-way between the proposed subdivision called Sheldon Estates II, Unit 1B and East Lawn property while reserving the pedestrian walkway and bicycle pathway and the drainage easement on the southerly 20-feet of the proposed abandonment.

Exhibit "A"

RIGHT OF WAY ABANDONMENT

All that certain real property situate in the City of Elk Grove, County of Sacramento, State of California, being a portion of the west one-half of Section 25, Township 7 North, Range 5 East M.D.M. described as follows:

A portion of the North 40 feet of Lot 19 of that particular Subdivision Map entitled "Hewitt's Subdivision No. 2", filed in Book 14 of Maps, Map No. 34, Sacramento County Records described as follows:

Commencing at the Northeasterly corner of said Lot 19; thence, from said point of commencement along the Easterly line of said Lot 19, South 00°09'54" East 40.00 feet to a point being distant Southerly 40.00 feet, at the right angles, from the Northerly line of said Lot 19; thence, along a line being parallel to said Northerly line, North 89°48'41" West 183.00 feet to the True Point of Beginning; thence, from said True Point of Beginning continuing along said parallel line North 89°48'41" West 463.34 feet to a point on the Southerly projection of the Easterly line of that particular subdivision map entitled "Shortline Lake" filed in Book 148 of Maps, at Map No. 19, of said County Records; thence, along said projection North 00°04'36" West 40.00 feet to the North line of said Lot 19 and the southeasterly corner of Lot 4 of said Shortline Lake Subdivision; thence, along said Northerly line of said Lot 19 South 89°48'41" East 463.28 feet; thence, along a line being parallel to said Easterly line of said Lot 19 South 00°09'54" East 40.00 feet to the True point of beginning.

Containing 0.425 acres, more or less.

RESERVING, however an easement for installation and maintenance of a pedestrian walkway and bicycle pathway, together with any appurtenances pertaining thereto, on, over, under and across the southerly 20-feet of the above described property.

ALSO RESERVING for the purpose of digging, constructing repairing and forever maintaining thereon, a drainage canal, ditch or pipeline for drainage purposes, together with the spoil banks and appurtenant structures thereof, a drainage easement over the southerly 20-feet of the above-described property.

TOGETHER WITH the perpetual right and privilege of flowing water in, through, and along said canal, ditch or pipeline, and the perpetual right of ingress to an egress from said reservation.