RESOLUTION NO. 08-47
AN RESOLUTION OF THE ALBANY CITY COUNCIL ORDERING
VACATION OF A PORTION OF A SANITARY SEWER EASEMENT AT 1316
SOLANO AVENUE.

WHEREAS, the property owner at 1316 Solano Avenue has requested that the
City of Albany vacate unused portions of a sanitary sewer easement located on the
west side and south side of the property located at 1316 Solano Avenue, which
portion is more particularly described on Exhibit A attached hereto and included
herein by reference; and

WHEREAS, the City Engineer has reported that the areas described on
Exhibit A is surplus to the sanitary sewer needs of the City; and

WHEREAS, the City is authorized to vacate all or part of a public street or
public service easement within the City pursuant to the Public Streets, Highways and
service Vacation Easements Law (California Streets and Highways Code, Section
8300 et.seq.; and

WHEREAS, on June 24, 2008 the City Council scheduled a public hearing on
the requested vacation for July 7, 2008.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALBANY
DOES HEREBY RESOLVE AS FOLLOWS:

1. The City Council finds, based on all the evidence submitted, that the
unused portion of the sanitary sewer easement on the parcel at 1316 Solano Avenue,
described in attached hereto as Exhibit A, is not necessary for present or prospective
use and is hereby vacated.

2. The City Administrator is hereby authorized to execute a deed in a
form acceptable to the City Attorney to the owner of the property at 1316 Solano
Avenue.

3. The City Clerk is directed to record this order declaring vacation of the
real property described in Exhibit A together with the associated deed, in the office of
the County Recorder.
PASSED AND ADOPTED by the City Council of the City of Albany at its meeting on the 7th day of July, 2008, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

[Signature]
Mayor Robert S. Lieber
EXHIBIT A

SUB PARCEL ONE:

ABANDONMENT OF A PORTION OF AN EASEMENT WITHIN LOT 171 AS SHOWN ON THE SUBDIVISION MAP ENTITLED "TERMINAL JUNCTION TRACT ALBANY, CALIFORNIA, 1914" FILED AUGUST 13, 1914 IN BOOK 28 OF MAPS AT PAGES 71 AND 72 OF ALAMEDA COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHEASTERLY CORNER OF LOT 166 OF THE SUBDIVISION MAP ENTITLED "TERMINAL JUNCTION TRACT ALBANY, CALIFORNIA, 1914"; THENCE NORTH 3°59'00" WEST 5.02 FEET TO THE TRUE POINT OF BEGINNING OF THIS EASEMENT TO BE ABANDONED; THENCE SOUTH 80°30'00" WEST 5.02 FEET; THENCE NORTH 3°59'00" WEST 76.35 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTH HAVING A RADIAL OF NORTH 16°45'28" WEST; THENCE EASTERLY ALONG THE CURVE 5.16 FEET THROUGH A CENTRAL ANGLE OF 2°57'22"; THENCE SOUTH 3°59'00" EAST 77.14 TO THE TRUE POINT OF BEGINNING OF THIS EASEMENT ABANDONMENT.

SEE EXHIBIT B ATTACHED HERETO AND MADE A PART HEREOF.
EXHIBIT A

SUB PARCEL TWO:

ABANDONMENT OF A PORTION OF AN EASEMENT WITHIN LOT 171 AS SHOWN ON THE SUBDIVISION MAP ENTITLED "TERMINAL JUNCTION TRACT ALBANY, CALIFORNIA, 1914" FILED AUGUST 13, 1914 IN BOOK 28 OF MAPS AT PAGES 71 AND 72 OF ALAMEDA COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHWESTERLY CORNER OF LOT 171 OF THE SUBDIVISION MAP ENTITLED "TERMINAL JUNCTION TRACT ALBANY, CALIFORNIA, 1914"; THENCE NORTH 3°59'00" WEST 5.08 FEET; THENCE NORTH 75°47'30" EAST 33.53 FEET; THENCE SOUTH 3°59'00" EAST 5.08 FEET; THENCE SOUTH 75°47'30" WEST 33.53 FEET TO THE POINT OF BEGINNING OF THIS EASEMENT ABANDONMENT.

SEE EXHIBIT B ATTACHED HERETO AND MADE A PART HEREOF.
NOTES & LEGEND

POB  POINT OF BEGINNING
TPOB TRUE POINT OF BEGINNING

THIS DRAWING IS NOT INTENDED TO BE A RECORD OF SURVEY. IT IS ONLY TO DEPICT EASEMENTS TO BE ABANDONED. PROPERTY LINE INFORMATION HEREON IS BASED UPON RECORD INFORMATION.
RESOLUTION NO. 08-47

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,
this th day of , year , by the following votes:

AYES: [List of council members]

NOES: None

ABSENT: None

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this day of , year .

[Signature]

JACQUELINE E. BUCHOLZ, CMC
CITY CLERK