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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.

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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:

Mayor Robert S. Lieber