

RESOLUTION NO. 2016-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK VACATING A 40-FOOT WIDE PUBLIC RIGHT-OF-WAY IN FAVOR OF ASSESSOR'S PARCEL NUMBERS 045-082-057, 045-082 065, 045-075-005, 045-075- 006, 045-082-035 AND 045-082-058 AND FINDING THE ACTION CONSISTENT WITH THE ENVIRONMENTAL IMPACT REPORT FOR THE WILFRED DOWDELL SPECIFIC PLAN AREA

WHEREAS, on July 14, 1992, the City Council of the City of Rohnert Park (City Council) approved Resolution 1992-118 which abandoned and vacated approximately 465 feet of the 40-foot wide public right-of-way known as Willis (Bloom) Avenue; and

WHEREAS, on September 23, 2008, the City Council approved Resolution 2008-155 certifying the Environmental Impact Report for the Wilfred Dowdell Specific Plan which included the vacation of the remaining right-of-way of Willis (Bloom) Avenue; and

WHEREAS, when it considered the Planning Application for the Sportsman's Warehouse Project, the City required the vacation of approximately 760 feet of the remaining 40-foot wide public road right-of-way as a condition of the approval of that project; and

WHEREAS, the Developer of the Sportsman's Warehouse Project has submitted a complete application to support the vacation of the public-right-of-way including a petition, plats, legal descriptions, and confirmation from other public agencies and private utilities that the right-of-way is not necessary; and

WHEREAS, Streets & Highways Code Section 8320 et.seq. provides that the City may act on this application and undertake the vacation process on its own initiative; and

WHEREAS; on June 14, 2016 the City Council approved Resolution 2016-058 initiating the vacation, setting a Public Hearing for July 12, 2016 and directing related actions; and

WHEREAS, Government Code 65402 provides that the Planning Commission must make a finding of General Plan consistency before certain public easements or rights-of-way can should be vacated and or abandoned; and

WHEREAS, on June 21, 2016, the Planning Commission did hold a Public Hearing regarding the vacation and made determination of General Plan Consistency; and

WHEREAS, after considering the matter, the City Council has determined that the aforesaid public right-of-way should be abandoned based upon the following findings:

1. That the portion of road right-of-way referred to as Willis (Bloom) Avenue is not needed as a public roadway.
2. That alternate roadways will be constructed to serve the adjacent property owners and general public.
3. That the road right-of-way is not necessary and it would be in the best interest of the public health, safety and welfare to abandon the aforesaid public road:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rohnert Park that the vacation of approximately 760 feet of Willis (Bloom) Avenue is covered under within the scope of the Wilfred Dowdell Specific Plan Environmental Impact Report.

BE IT FURTHER RESOLVED, by the City Council of the City of Rohnert Park that it does hereby authorize and approve vacating a 40-foot wide public right-of-way in favor of Assessor's Parcel Numbers 045-082-057, 045-082 065, 045-075-005, 045-075-006, 045-082-035 and 045-082-058 as outlined in the legal descriptions attached as Exhibits A-1, B-1, A-2a, A2-b, B-2, A-3 and B-3 to this Resolution.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute all documents pertaining to same for and on behalf of the City of Rohnert Park.

DULY AND REGULARLY ADOPTED this 12th day of July, 2016.

CITY OF ROHNERT PARK


Gina Belforte, Mayor

ATTEST:


Caitlin Saldanha, Deputy City Clerk

Attachments: Exhibits A-1, B-1, A-2a, A2-b, B-2, A-3 and B-3

AHANOTU: Aye CALLINAN: Aye STAFFORD: Aye MACKENZIE: Aye BELFORTE: Absent
AYES: (4) NOES: (0) ABSENT: (1) ABSTAIN: (0)

EXHIBIT A-1

VACATION OF PUBLIC RIGHT OF WAY & INTERESTS

A portion of Willis Avenue (formerly Bloom Avenue)
City of Rohnert Park, State of California
[to be added to the Lands of Tiffany Manor, LP, DN 2003-240180, Sonoma County
Records, APN 045-082-057 & 065]

All of the easterly one half of Willis Avenue (formerly Bloom Avenue), a 40 foot public right of way "dedicated to public for public use" and accepted by the Board of Supervisors of the County of Sonoma on the "Subdivision of Santa Rosa Farms No. 2" filed March 7, 1910 in Book 21 of Maps, Page 14, Sonoma County Records, lying within Lots 169 and 170 as said lots are shown and delineated on said subdivision map.

RESERVING FROM THE ABOVE VACATION an easement for Public Storm Drain purposes over the entire parcel described above.

ALSO RELINQUISHMENT of all public interest indicated in that "Covenant Burdening Land And Improvements, Willis Avenue" recorded September 16, 1993 under Official Records Document Number 1993-0116758, Sonoma County Records, specifically the dedication of "Right of Way" and "Public Utility Easement".

Date: 3-9-14

Prepared by:


Paul M. Brown, PLS 5087

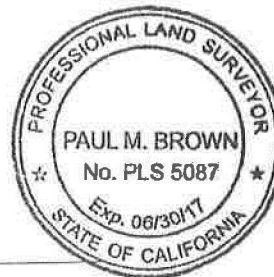


Exhibit B-1

3" Brass Disc stamped RCE
20160 in standard street
monument well per 543
Maps 46-48

1/2" Iron Pipe tagged RCE
20160 per 543 Maps 46-48
or
3/4" Iron Pipe tagged LS
2757 per 406 Maps 14-15

1 20' strip, easterly 1/2
of Willis Avenue,
formerly Bloom Avenue,
a public right of way
per 21 Maps 14,
adjacent to Lots 169,
170

2 10' strip, per Covenant
to dedicate right of way
per DN 1993-116758
3 Covenant to grant
Public Utility Easement
per DN 1993-116758

4 20' strip,
westerly 1/2
of Willis Avenue,
formerly Bloom
Avenue, a public
right of way
per 21 Maps
14, adjacent
to Lot 159

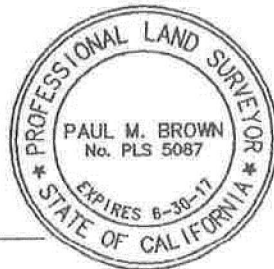
"Rohnert Park
Parcel Map No. 157"
543 Maps 46-48

City of Rohnert
Park per
DN 1993-116759

Lands of Tiffany Manor, LP
DN 2003-240180
APN 045-082-057, 065

"Record of Survey"
406 Maps 14-15

This exhibit is for graphic
purposes only. Any errors or
omissions on this exhibit shall
not affect the deed description.



Date: 3-9-16

Paul M. Brown, PLS 5087
my license expires 6/30/17

Job No. 15170

APN 045-082-057, 065

June 2015

Vacation Plat
City of Rohnert Park, California



adobe associates, inc.

civil engineering | land surveying | wastewater
1220 N. Dutton, Ave., Santa Rosa, Ca. 95401
P (707) 541-2300; F (707) 541-2301

EXHIBIT A-2a

VACATION OF PUBLIC RIGHT OF WAY

A portion of Willis Avenue (formerly Bloom Avenue)
City of Rohnert Park, State of California
[to be added to the Lands of Sebastopol Co-Op, LLC, DN 2006-024150, Sonoma
County Records, APN 045-075-005]

All of the Westerly one half of Willis Avenue (formerly Bloom Avenue), a 40 foot public right of way "dedicated to public for public use" and accepted by the Board of Supervisors of the County of Sonoma on the "Subdivision of Santa Rosa Farms No. 2" filed March 7, 1910 in Book 21 of Maps, Page 14, Sonoma County Records, lying within Lot 159 as said lot is shown and delineated on said subdivision map, excepting the northerly 12.75 feet of Willis Avenue crossing said Lot 159.

Date: 7-20-14

Prepared by: *Paul M. Brown*

Paul M. Brown, PLS 5087



EXHIBIT A-2b

VACATION OF PUBLIC RIGHT OF WAY

A portion of Willis Avenue (formerly Bloom Avenue)

City of Rohnert Park, State of California

[to be added to the Lands of Kenneth C. Martin & Donna L. Martin Living Trust (60% interest) and Sebastopol Co-Op, LLC (40% interest), DN 2006-030696 & DN 2011-045959, Sonoma County Records, respectively, APN 045-075-006]

All of the Westerly one half of Willis Avenue (formerly Bloom Avenue), a 40 foot public right of way "dedicated to public for public use" and accepted by the Board of Supervisors of the County of Sonoma on the "Subdivision of Santa Rosa Farms No. 2" filed March 7, 1910 in Book 21 of Maps, Page 14, Sonoma County Records, lying within Lot 158 as said lot is shown and delineated on said subdivision map.

Date: 4-20-16

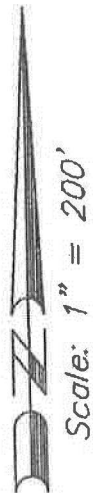
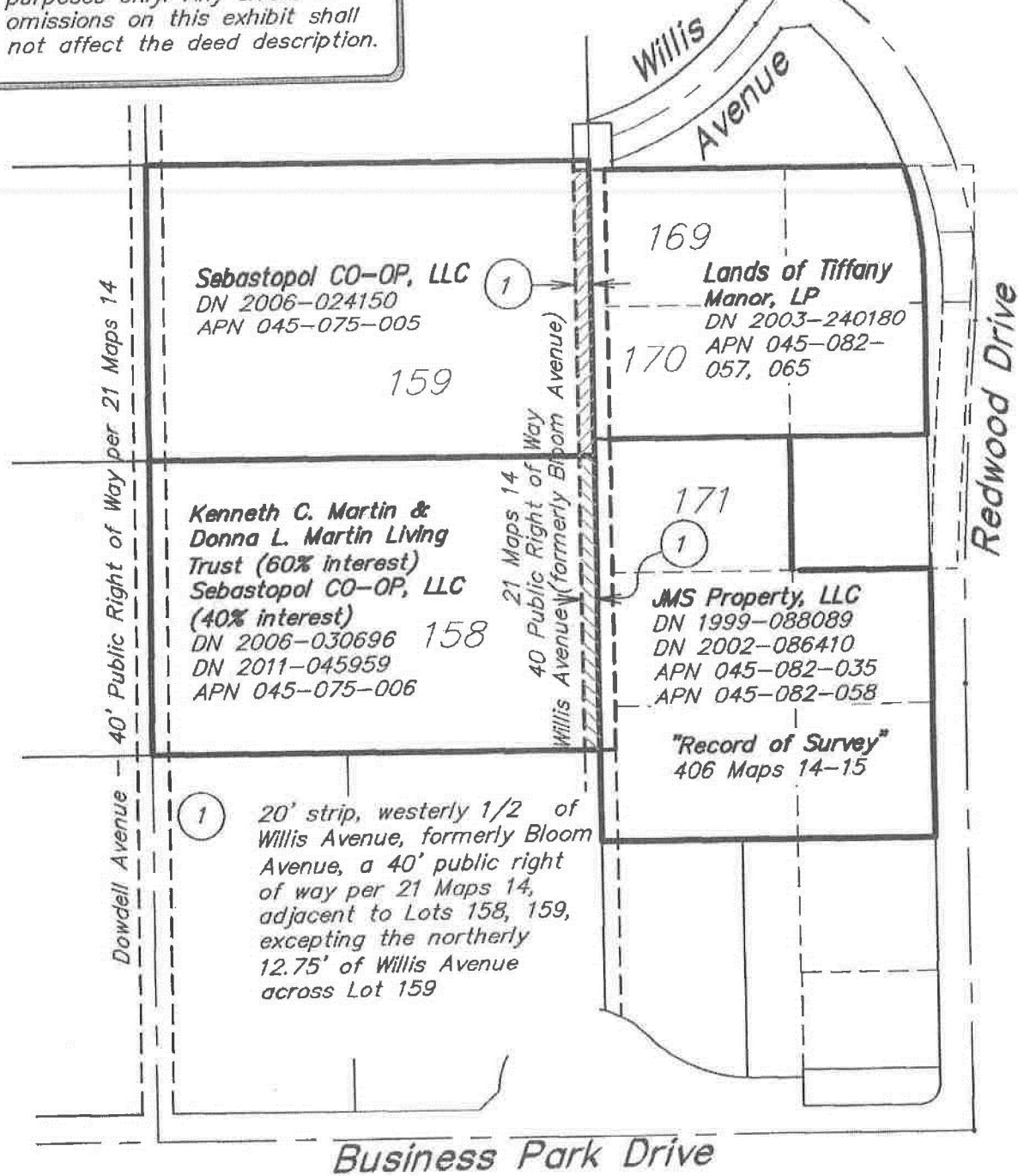
Prepared by: 

Paul M. Brown, PLS 5087



This exhibit is for graphic purposes only. Any errors or omissions on this exhibit shall not affect the deed description.

Exhibit B-2



Date: 4-20-14
Paul M. Brown, PLS 5087
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Job No. 15170



Vacation Plat
City of Rohnert Park, California



adobe associates, inc.
civil engineering | land surveying | wastewater
1220 N. Dutton, Ave., Santa Rosa, Ca. 95401
P (707) 541-2300; F (707) 541-2301

APN 045-075-005, 006

June 2015

EXHIBIT A-3

VACATION OF PUBLIC RIGHT OF WAY

A portion of Willis Avenue (formerly Bloom Avenue)
City of Rohnert Park, State of California
[to be added to the lands of JMS Property, LLC, DN 1999-088089 & 2002-086410,
Sonoma County Records , APN 045-082-035 & 058]

All of the Easterly one half of Willis Avenue (formerly Bloom Avenue), a 40 foot public right of way "dedicated to public for public use" and accepted by the Board of Supervisors of the County of Sonoma on the "Subdivision of Santa Rosa Farms No. 2" filed March 7, 1910 in Book 21 of Maps, Page 14, Sonoma County Records, lying within Lots 171, 172 & 173 as said lots are shown and delineated on said subdivision map.

EXCEPTING FROM THE ABOVE VACATION that portion abandoned and vacated by the City of Rohnert Park by Resolution No. 92-118 and recorded under Official Records Document Number 1994-0086927, Sonoma County Records

RESERVING FROM THE ABOVE VACATION an easement for Public Storm Drain purposes over the entire parcel described above.

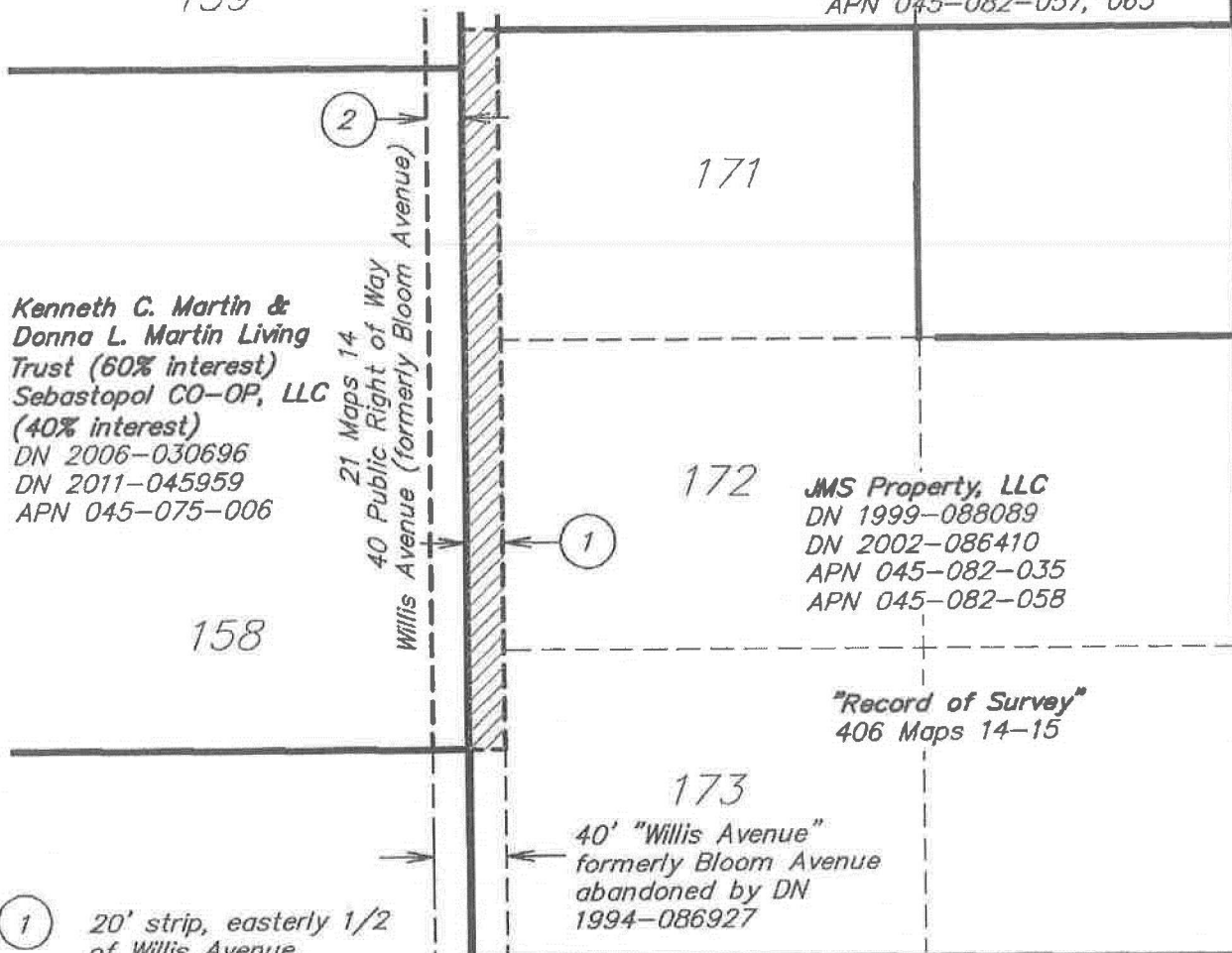
Date: 9-9-16

Prepared by: Paul M. Brown
Paul M. Brown, PLS 5087



Exhibit B-3

Lands of Tiffany Manor, LP
DN 2003-240180
APN 045-082-057, 065



Redwood Drive

Scale: 1" = 100'

Kenneth C. Martin &
Donna L. Martin Living
Trust (60% interest)
Sebastopol CO-OP, LLC
(40% interest)
DN 2006-030696
DN 2011-045959
APN 045-075-006

JMS Property, LLC
DN 1999-088089
DN 2002-086410
APN 045-082-035
APN 045-082-058

"Record of Survey"
406 Maps 14-15

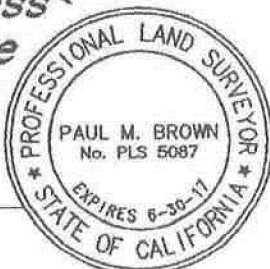
40' "Willis Avenue"
formerly Bloom Avenue
abandoned by DN
1994-086927

- 1 20' strip, easterly 1/2
of Willis Avenue,
formerly Bloom Avenue,
a 40' public right of
way per 21 Maps 14,
adjacent to Lots 171,
172, 173
- 2 20' strip, westerly 1/2
of Willis Avenue,
formerly Bloom Avenue,
a 40' public right of
way per 21 Maps 14,
adjacent to Lots 158

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purposes only. Any errors or
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Business
Park Drive

Date: 6/30/17
Paul M. Brown, PLS 5087
my license expires 6/30/17



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Job No. 15170

APN 045-075-005, 006

June 2015