

09-1381
C014

MOTION #55

JUN 09 2009

On March 5, 2002, under Council File No. 01-1459, the City Council adopted new procedures for processing street vacations, which require the adoption of a Rule 16 motion to initiate street vacation proceedings. Under these new procedures, when a petitioner submits an application and a fee deposit to the Bureau of Engineering, the Chair of the Public Works Committee is required to introduce a motion for the purposes of assigning a Council File Number and initiating the investigation of the vacation.

The Alameda Corridor Transportation Authority (ACTA), owner of the property legally described as Lots Fr 12, Fr 13 and 14 through 17 of the Butler and Elder's Tract, and a portion of Minerva street vacated under Resolution No. 05-1400796 recorded as Instrument No. 05-0409732, has submitted an application for a vacation located in Council District 14.

Additionally, the adoption of the following recommendations does not constitute or imply approval of the vacation.

I THEREFORE MOVE that upon adoption of this motion, street vacation proceedings to vacate the Butte Street between Santa Fe Avenue and Perrino Place, be initiated pursuant to California Streets and Highways Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation Law.

I FURTHER MOVE that the Bureau of Engineering be directed to investigate the feasibility of this vacation request.

I FURTHER MOVE that the Bureau of Engineering present its report regarding the feasibility of vacating the requested area to the Public Works Committee.

I FURTHER MOVE that upon review of the Public Works Committee, the City Clerk be directed to schedule this request for the City Council's consideration at the appropriate time under the City's Street Vacation procedures.

PRESENTED BY: Bill Rosendahl
BILL ROSENDAHL
Councilmember, 11th District

SECONDED BY: [Signature]

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