

MAY 3 1979

RESOLUTION ORDERING THE VACATION AND ABANDONMENT AND CLOSING TO
THE PUBLIC USE AN ALLEY IN THE CITY OF PETALUMA (Located between
Fair Street and Sheldon Street, north of English Street)

INTRODUCED BY COUNCILMAN JAMES L. HARBERSON and
SECONDED BY COUNCILMAN JOHN L. BALSHAW at a
REGULAR Meeting of the City Council of the
City of Petaluma, on the 7th day of May, 1979

WHEREAS, the Council of the City of Petaluma, did on the 16th day of April, 1979, adopt Resolution of Intention No. 8512 N.C.S., declaring its intention to vacate and abandon and close to public use an alley located between Fair Street and Sheldon Street, north of English Street, herein-after described, which resolution was duly and legally posted in the time, form and manner required by law, as shown on the affidavit of posting on file in the office of the City Clerk of said city; and,

WHEREAS, after adoption thereof, notice of the passage of said resolution "Notice of Intention to Abandon and Close to Public Use an Alley in the City of Petaluma" were duly and legally posted in the time, form and manner as required by law as shown by the Affidavit of Posting on file in the office of the City Clerk; and,

WHEREAS, said Council has, on the 7th day of May, 1979, held a public hearing for the purpose of hearing the evidence of any person interested in or objecting to said proposed abandonment and vacation; and,

WHEREAS, said Council, having duly received and considered evidence concerning the jurisdictional facts of this proceeding finds from all the evidence submitted that the alley hereinafter described is unnecessary, and the said Council of the City of Petaluma having now acquired jurisdiction to order the proposed abandonment and vacation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Petaluma

RES. 8532 NCS

Petaluma, pursuant to and in accordance with the authority contained in the Street Vacation Act of 1944 (Division 9, Part 3 of the Streets and Highways Code), that the following described alley in said City be, and the same is hereby, ordered vacated, abandoned and forever closed to public use on and after the date of recordation of this resolution with the Recorder of Sonoma County:

The alley located between English Street and Dana Street, in the block bounded by Fair Street, Sheldon Street, English Street and Dana Street, as shown on the attached Exhibit "A" (map).

BE IT FURTHER RESOLVED that the City Clerk is directed to cause a certified copy of this resolution, attested by said Clerk under the seal of this City, to be recorded in the office of the Recorder of Sonoma County, upon compliance with the conditions stated in this resolution.

BE IT FURTHER RESOLVED that pursuant to Section 1933 of the Streets and Highways Code, the City Manager is authorized to negotiate the disposition of the underlying real property with the adjacent owners and the City Clerk is authorized to execute a conveyance therefor upon such negotiated disposition, and this resolution shall become effective only upon the agreed-upon conveyance of all of the territory located in said alley to the adjacent property owners.

BE IT FURTHER RESOLVED that if the contingency mentioned in the above paragraph does not occur within 180 days of the adoption hereof, this resolution shall automatically expire and be void for any purpose.

under the power and authority conferred upon this Council by the Charter of said City.

I hereby certify that the foregoing Resolution was duly and regularly introduced and adopted by the Council of the City of Petaluma on the 7th day of May, 1979, by the following votes:

AYES: Councilmen Balshaw, Bond, Cavanagh, Daly, Harberson, Perry and Mayor Hilligoss.

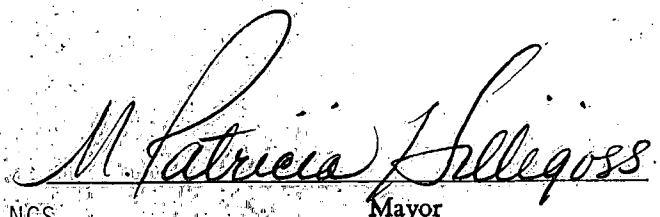
NOES: None

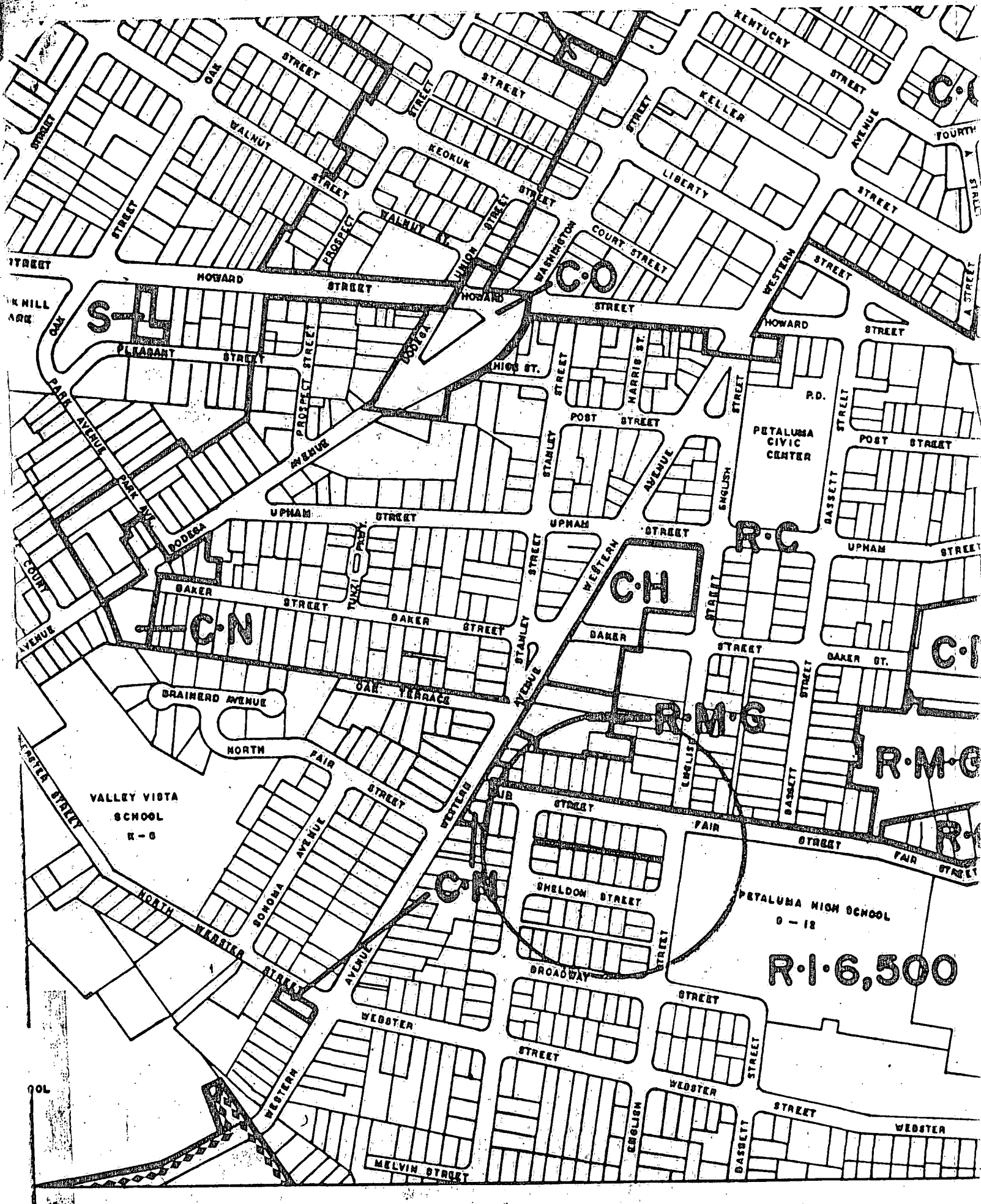
ABSENT: None

ATTEST:


City Clerk

RES. 8532 NCS


Mayor



AFFIDAVIT OF POSTING

STATE OF CALIFORNIA)

County of Sonoma)

ROY C. KELLY, being first duly sworn, deposes and says that he is the Public Works Superintendent for the City of Petaluma, CA.; that pursuant to the Street Vacation Act of 1941 (Division 9, Part 3 of the Streets and Highways Code) he conspicuously posted notices of the adoption of Resolution No. 8512 N.C.S. along the line of the alley to be vacated; that said notices were posted on April 23, 1979, and were prepared and posted in the following manner:

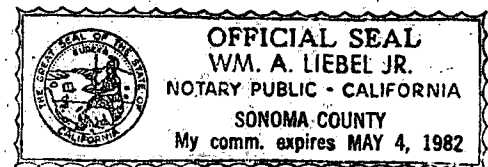
"NOTICE OF VACATION, ABANDONMENT AND THE CLOSING TO PUBLIC USE AN ALLEY IN THE CITY OF PETALUMA, CA., MORE PARTICULARLY DESCRIBED HEREIN," and in legible characters stated the fact of the adoption of Resolution No. 8512 N.C.S., its date, described the alley to be abandoned and vacated and notice of the time, place and date for a hearing at which all interested persons may appear and be heard regarding said proposed vacation of the alley in the City of Petaluma. The said notices were posted along the line of the alley to be abandoned and vacated at no more than 300 feet apart, not less than three (3) notices being posted on the said alley.

Roy C. Kelly
 ROY C. KELLEY
 PUBLIC WORKS SUPERINTENDENT

Subscribed and sworn to before me this 22nd
 day of May, 1979.

W. A. Liebel Jr.
 Notary Public in and for the County of
 Sonoma, State of California.

My commission expires 5-4-1982




NOTICE OF VACATION, ABANDONMENT AND THE CLOSING TO PUBLIC
USE AN ALLEY IN THE CITY OF PETALUMA, MORE PARTICULARLY DE--
SCRIBED HEREIN

NOTICE IS HEREBY GIVEN that the Council of the City of Petaluma CA, has adopted its Resolution No. 8512 N.C.S. on the 16th day of April, 1979, declaring its intention to vacate, abandon and close to public use, pursuant to and in accordance with the Street Vacation Act of 1941 (Division 9, Part 3, of the Streets and Highways Code) an alley in the block form by Fair, English, Dana and Sheldon Streets in the City of Petaluma.

NOTICE IS FURTHER GIVEN that the City Council has fixed Monday, May 7, 1979, at the hour of 8:30 p.m. in the Council Chambers, City Hall, Petaluma, CA, as the time and place of hearing all persons interested in or objecting to the proposed vacation of said alley hereinbefore referred to and described.

Dated: This 23 day of April, 1979.



ROY C. KELLY
Public Works Superintendent

RES. 8532 NCS