

RESOLUTION NO. 2005-11

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
DECLARING THE NECESSITY AND AUTHORIZING THE COMMENCEMENT OF
EMINENT DOMAIN PROCEEDINGS TO SECURE REAL PROPERTY INTERESTS
FOR THE IMPROVEMENT OF ELK GROVE BOULEVARD AND TO MEET THE
GOALS OF THE OLD TOWN DISTRICT MASTER PLAN**

WHEREAS, improving Elk Grove Boulevard holds a high priority in the City of Elk Grove Transportation Improvement Program ("Project") and acquiring the necessary right of way and real property interests is an important step in meeting the goals set forth in the Master Plan for the Old Town District; and

WHEREAS, as a part of said Project, it is necessary to acquire certain real property interests ("Property") for the construction, operation and maintenance of a right of way, and related improvements on Elk Grove Boulevard between Walnut Avenue and School Street; and

WHEREAS, the City of Elk Grove has investigated and examined alternatives to the Project and the acquisition of the Property, and concluded that both the Project and acquisition of the Property for the Project are necessary; and

WHEREAS, the Property, which is the subject of this Resolution of Necessity consists of eleven parcels as listed in the attached table marked Exhibit 1. A description of each of the property interests to be acquired is attached to Exhibit 1 and incorporated herein; and

WHEREAS, the Property is located entirely within the municipal boundaries of the City of Elk Grove; and

WHEREAS, the City of Elk Grove has complied with the requirements of the California Environmental Quality Act, Public Resources Code section 21000, *et seq.*, in regards to acquisition of the Properties based upon the City of Elk Grove's adoption of a Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program adopted by City Council on October 1, 2003; and

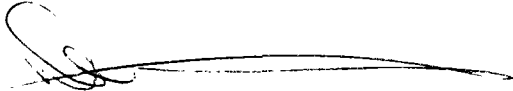
WHEREAS, the City of Elk Grove has complied with the requirements of Government Code section 7267.2, in regards to acquisition of the Property by making an offer to purchase to the known owner(s) of record; and

WHEREAS, as a result of the hearing held on January 5, 2005, and in accordance with the provisions of Code of Civil Procedure section 1245.235, the City Council of the City of Elk Grove intends to make certain findings and determinations.

NOW, THEREFORE, be it resolved by the City Council of the City of Elk Grove as follows:

1. The recitals contained herein are true and correct;
2. Upon examination of the alternatives, the City of Elk Grove requires the Property for the Project;
3. The City of Elk Grove is authorized to acquire the Property pursuant to the provisions of Government Code section 37350.5 and the provisions of the Eminent Domain Law comprising Title 7, Part 3 of the Code of Civil Procedure (commencing at section 1230.010);
4. Acquisition of the Property for Project purposes promotes public safety and the general welfare, is authorized by Government Code section 37350.5, and is therefore a public use.
5. The City of Elk Grove hereby finds, determines and declares:
 - a. The public interest and necessity require the proposed Project;
 - b. The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
 - c. Each of the property interests described and depicted in Exhibit 1 is necessary for the purposes of construction, operation and maintenance of the proposed Project; and
 - d. Prior to making the above findings and determinations, the offer required by section 7267.2 of the Government Code was made to the owner(s) of record of the property interests described and depicted in Exhibit 1.
 - e. The subject property is being acquired for compatible use under Code of Civil Procedure section 1240.510 in that the City of Elk Grove's use of the subject property will not interfere with or impair the continued public use as it now exists or may reasonably be expected to exist in the future, or, in the alternative, for a more necessary public use under Code of Civil Procedure section 1240.610 in that the City's use of the subject property is a more necessary public use than the use to which the subject property is appropriated.
6. The City Attorney is hereby authorized and directed to prepare, commence and prosecute proceedings in eminent domain in the appropriate court to acquire for the City of Elk Grove the property interests described and depicted in Exhibit 1. The City Attorney is further authorized to take all steps necessary to obtain such orders for immediate possession of the property interests as may be required for the Project.

APPROVED, PASSED AND ADOPTED by the City Council of the City of Elk Grove on this 5th day of January 2005.



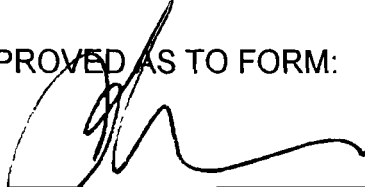
DANIEL BRIGGS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

EXHIBIT "1"

APN	OWNER	LOT SIZE (SF)	FEE TAKE (SF)	ROW (SF)	PS&PE (SF) 1	ACCESS (SF)	TCE
125-0243-001	Cava & Faulkner, Attorneys at Law	5,978	0	1,716	1,123	0	136
125-0243-005	Gus and Michael Prevolos	13,068	0	2,000	1,400	0	143
125-0243-006	Braulio Torres	3,305	0	500	350	0	0
125-0243-039	Jacqueline Andersen	18,731	0	2,813	2,644	0	1,125
125-0252-015	Paschal Lamb, LLC	32,000	0	10,040	1,601	0	1,931
125-0253-005	Russell Lewis	18,480	0	3,160	1,534	0	1,355
125-0253-009	Jacqueline Andersen	6,776	0	1,142	369	0	254
125-0253-010	Shier Chen	10,451	0	1,660	1,280	0	254
SBE 872-34-21-10	Union Pacific Railroad	N/A	0	6,452	4,911	348	9,998
125-0210-019, 020	Schauer Family Trust	19,200	0	3,000	1,320	0	825
125-0222-006	Wendell Berke	18,530	8,416	2,477	649	3,381	0
TOTAL							

Cava & Faulkner

EXHIBIT A

Parcel 1 – Right of Way Easement

A 25 foot wide strip of land located in a portion of Parcel One and Parcel Three of the Grant Deed described in Document 199708291683 Official Records of Sacramento County, also being a portion of Lot 1 of the H.S. Hill Tract filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, the northerly sideline of which is described as follows:

Commencing at the North quarter corner of Section 6, Township 6 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book 106 of Surveys, Page 20 Sacramento County Records; thence along the centerline of Elk Grove Boulevard South 89° 27' 24" West 252.77 feet to the intersection with a line extending from the northeasterly corner of said Grant Deed that is perpendicular to said centerline, said intersection being the POINT OF BEGINNING for the herein described strip; thence from said Point of Beginning along said centerline South 89° 27' 24" West 72.24 feet to the intersection with the easterly right of way of the Union Pacific Railroad, said easterly right of way also being the northerly prolongation of the westerly line of said Lot 1, said intersection to be hereinafter referred to as POINT A, said intersection being the POINT OF TERMINATION for the herein described strip.

The sidelines of said strip shall be shortened or lengthened to begin and end on the property line of the grantor herein and the railroad right of way.

Parcel 2 – Public Service and Pedestrian Easement

An 18 foot wide strip of land located in a portion of Parcel One and Parcel Three of the Grant Deed described in Document 199708291683 Official Records of Sacramento County, also being a portion of Lot 1 of the H.S. Hill Tract filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, the northerly sideline of which is the southerly sideline of the hereinabove described Right of Way Easement.

The southerly sideline of said strip shall run along the northerly face of the existing building. The sidelines of said strip shall be shortened or lengthened to begin and end on the property line of the grantor herein and the railroad right of way.

Parcel 3 – Temporary Construction Easement

Commencing at a point hereinbefore referred to as POINT A; thence coincident with the westerly line of said Lot 1, said westerly line also being the easterly right of way of the Union Pacific Railroad, South $16^{\circ} 40' 41''$ East 44.76 feet to the POINT OF BEGINNING for the herein described parcel; thence from said Point of Beginning and leaving said easterly right of way North $89^{\circ} 27' 24''$ East 15.08 feet to the northwest corner of an existing building; thence along the westerly face of said building South $00^{\circ} 22' 14''$ East 10.00 feet; thence leaving said westerly building face South $89^{\circ} 27' 24''$ West 12.16 feet to said easterly right of way; thence coincident with said easterly right of way North $16^{\circ} 40' 41''$ West 10.41 feet to the Point of Beginning.

Exhibit B is attached herewith and made a part hereof.

It is presumed that ownership of the underlying parcel extends to the centerline of Elk Grove Boulevard, and that the easterly sideline of said underlying parcel is perpendicular to the centerline of Elk Grove Boulevard.

Basis of Bearings

The Basis of Bearings for the herein described land is the centerline of Elk Grove Boulevard, which bears North $89^{\circ} 27' 24''$ East as shown on that certain Record of Survey filed in Book 66 of Surveys Page 26 Sacramento County Records.

End of Description

Gary T. Leonard, PLS 5303
Carter & Burgess, Inc
License Expires 12-31-05
Date: 7-18-04



Gary Leonard

Cava & Faulkner, Attorneys at Law

APN 125-0243-001

Parcel-1 – Description for Public Right of Way Easement

A public right of way easement, on, over, and under Property legally described in Parcel 1 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of public use, construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public-right-of-ways, highways, roadways, pedestrian walkways, parking, services, landscaping, utilities, waterlines, and necessary appurtenant structures. This Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel-2 – Description for Public Service and Pedestrian Easement

A Public Service and Pedestrian Easement, on, over, and under Property, legally described as Parcel 2 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of the construction, installation, improvement and maintenance of pedestrian walkways, together with any appurtenances pertaining thereto, and the installation and maintenance of landscaping, including but not limited to, trees, plants, planters, irrigation pipelines, drainage pipes, and their appurtenances. The Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel- 3 – Description for Temporary Construction Easement

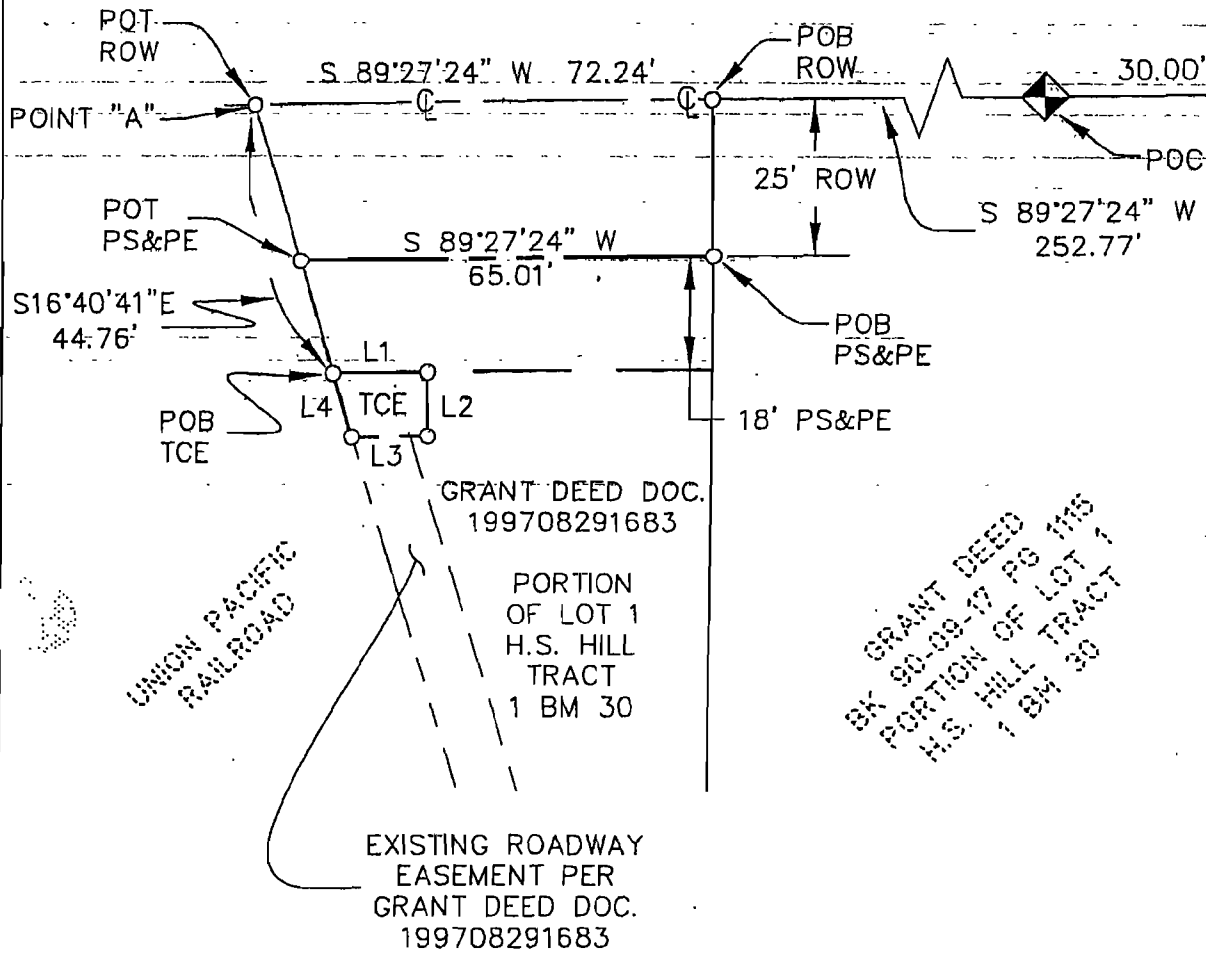
A Temporary Construction Easement, on, over, and under Property, legally described in Parcel 3 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of construction related to the Project. This easement shall terminate upon completion of the construction of the Project or February 28, 2007, whichever is earlier. This Easement is in gross and is non-exclusive. The property owner reserves the right to use land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

EXHIBIT B


SCALE: 1"=30'

SCHOOL ST.

ELK GROVE BLVD



LEGEND

-  NORTH 1/4 CORNER SEC. 6, T 6 N, R 6 E, MT. DIABLO B&M
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- POT POINT OF TERMINATION
- ROW RIGHT OF WAY
- PS&PE PUBLIC SERVICE & PEDESTRIAN EASEMENT
- TCE TEMPORARY CONSTRUCTION EASEMENT
- CL CENTERLINE

- L1 N 89°27'24" E 15.08'
- L2 S 00°22'14" E 10.00'
- L3 S 89°27'24" W 12.16'
- L4 N 16°40'41" W 10.41'

DWG : P:\Projects\333148.0\Drawings\S\333148-PLATS AND LEGALS\dwg\SE EXHIBIT PLATS

DRAWN BY: CPR CHECKED BY: GL DATE: 7-14-04 TAB: 125-0243-001

Carter-Burgess

Gus John Prevolos
Richard M. Prevolos

EXHIBIT A

Parcel 1 – Right of Way Easement

A 25 foot wide strip of land located in a portion of the Grant Deed described in Book 89-03-8, Page 1179 Official Records of Sacramento County, also being a portion of Lot 2 and Lot 3 of the H.S. Hill Tract filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, the northerly sideline of which is described as follows:

Commencing at the North quarter corner of Section 6, Township 6 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book 166 of Surveys, Page 216 Sacramento County Records; thence along the centerline of Elk Grove Boulevard South $89^{\circ} 27' 24''$ West 70.00 feet to the intersection with a line extending from the northeasterly corner of said Lot 3 that is perpendicular to said centerline, said intersection being the POINT OF BEGINNING for the herein described strip; thence from said Point of Beginning along said centerline South $89^{\circ} 27' 24''$ West 80.00 feet to the intersection with a line extending from the northwesterly corner of said Grant Deed that is perpendicular to said centerline, said point of intersection to be hereinafter referred to as POINT "A", said intersection being the POINT OF TERMINATION for the herein described strip.

The sidelines of said strip shall be shortened or lengthened to begin and end on the property line of the grantor herein.

Parcel 2 – Public Service and Pedestrian Easement

A 17.5 foot wide strip of land located in a portion of the Grant Deed described in Book 89-03-8, Page 1179 Official Records of Sacramento County, also being a portion of Lot 2 and Lot 3 of the H.S. Hill Tract filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, the northerly sideline of which is the southerly sideline of the hereinabove described Right of Way Easement.

The southerly sideline of said strip shall run along the northerly face of the existing building. The sidelines of said strip shall be shortened or lengthened to begin and end on the property line of the grantor herein.

Parcel 3 – Temporary Construction Easement

A parcel of land located in a portion of the Grant Deed described in Book 89-03-8, Page 1179 Official Records of Sacramento County, also being a portion of Lot 2 and Lot 3 of the H.S. Hill Tract filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Commencing at a point hereinabove referred to as POINT "A"; thence along a line that is perpendicular to the centerline of Elk Grove Boulevard extending from the northwesterly corner of said Grant Deed South 00° 32' 36" East 41.50 feet to the northwesterly corner of said Grant Deed; thence coincident with the westerly line of said Grant Deed South 00° 32' 36" East 1.00 foot to the POINT OF BEGINNING for the herein described parcel; thence from said Point of Beginning and leaving said westerly line North 89° 27' 24" East 13.60 feet to the northwesterly corner of an existing building; thence along the westerly face of said building South 00° 51' 26" East 10.50 feet; thence leaving said westerly face South 89° 27' 24" West 13.66 feet to the westerly line of said Grant Deed; thence coincident with said westerly line North 00° 32' 36" West 10.50 feet to the Point of Beginning.

Exhibit B is attached herewith and made a part hereof.

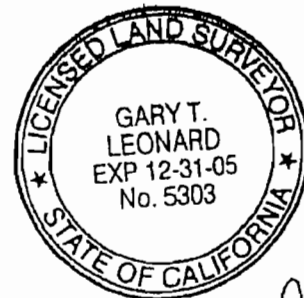
It is presumed that ownership of the underlying parcel extends to the centerline of Elk Grove Boulevard, and that the sidelines of said underlying parcel are perpendicular to the centerline of Elk Grove Boulevard.

Basis of Bearings

The Basis of Bearings for the herein described land is the centerline of Elk Grove Boulevard, which bears North 89° 27' 24" East as shown on that certain Record of Survey filed in Book 666, of Surveys Page 26 Sacramento County Records.

End of Description

Gary T. Leonard, PLS 5303
Carter & Burgess, Inc
License Expires 12-31-05
Date: 7-15-04



Gary Leonard

Gus and Michael Prevolos

APN 125-0243-005

Parcel-1 – Description for Public Right of Way Easement

A public right of way easement, on, over, and under Property legally described in Parcel 1 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of public use, construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public-right-of-ways, highways, roadways, pedestrian walkways, parking, services, landscaping, utilities, waterlines, and necessary appurtenant structures. This Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel-2 – Description for Public Service and Pedestrian Easement

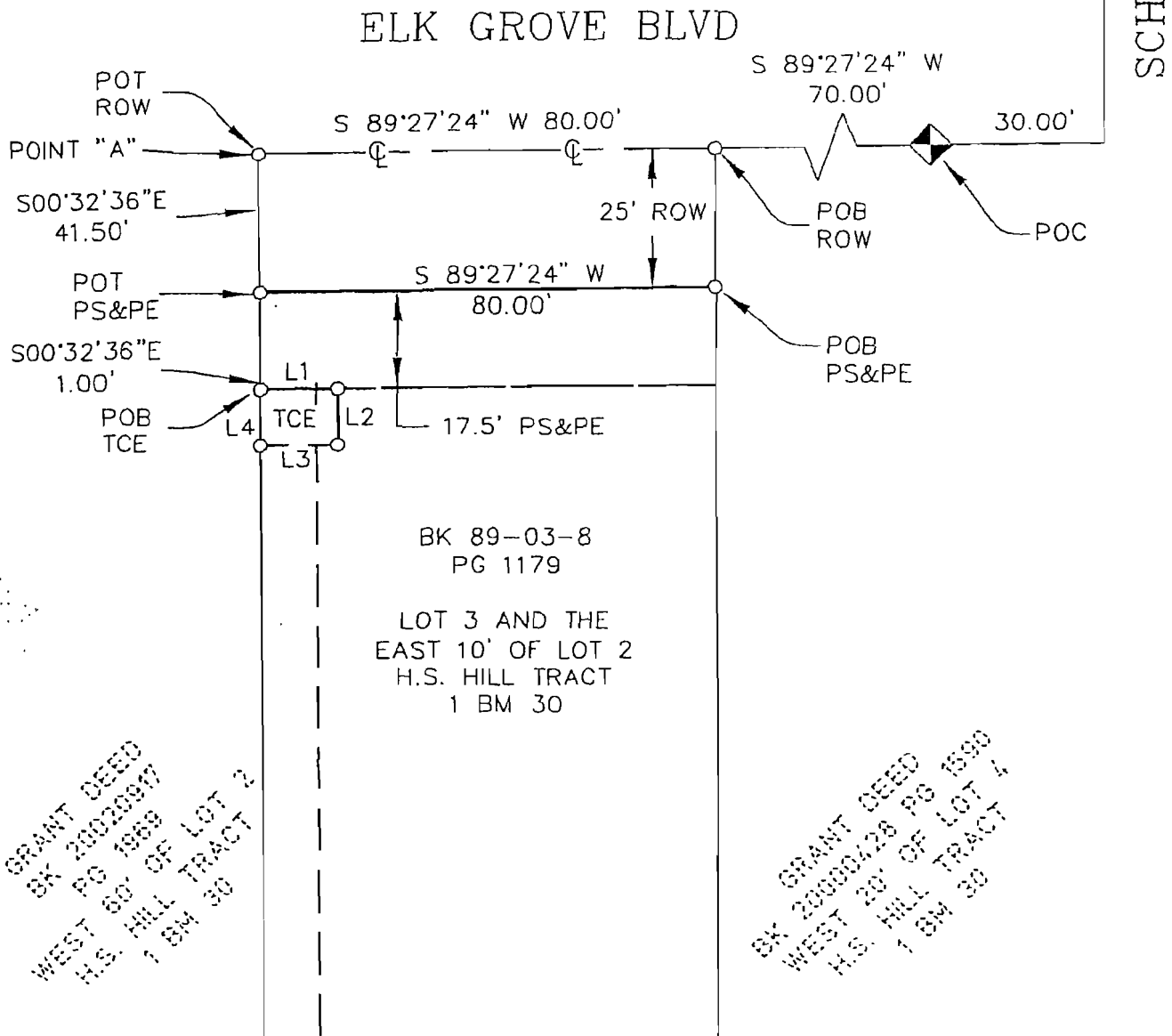
A Public Service and Pedestrian Easement, on, over, and under Property, legally described as Parcel 2 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of the construction, installation, improvement and maintenance of pedestrian walkways, together with any appurtenances pertaining thereto, and the installation and maintenance of landscaping, including but not limited to, trees, plants, planters, irrigation pipelines, drainage pipes, and their appurtenances. The Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel- 3 – Description for Temporary Construction Easement

A Temporary Construction Easement, on, over, and under Property, legally described in Parcel 3 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of construction related to the Project. This easement shall terminate upon completion of the construction of the Project or February 28, 2007, whichever is earlier. This Easement is in gross and is non-exclusive. The property owner reserves the right to use land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this gran

EXHIBIT B


SCALE: 1"=30'



GRANT DEED
BK 20020097
PG 1989
WEST 60' OF LOT 2
H.S. HILL TRACT
1 BM 30

GRANT DEED
BK 20000428 PG 1590
WEST 20' OF LOT 4
H.S. HILL TRACT
1 BM 30

LEGEND

-  NORTH 1/4 CORNER SEC. 6, T 6 N, R 6 E, MT. DIABLO B&M
 - POC POINT OF COMMENCEMENT
 - POB POINT OF BEGINNING
 - POT POINT OF TERMINATION
 - ROW RIGHT OF WAY
 - &PE PUBLIC SERVICE & PEDESTRIAN EASEMENT
 - TCE TEMPORARY CONSTRUCTION EASEMENT
 - ☉ CENTERLINE
- L1 N89°27'24"E 13.60'
 - L2 S00°51'26"E 10.50'
 - L3 S89°27'24"W 13.66'
 - L4 N00°32'36"W 10.50'

DWG . P: \Projects\333148.0\zDrawings\S\333148-PLATS AND LEGALS\dwg\SE EXHIBIT PLATS

DRAWN BY: CPR CHECKED BY: GL DATE: 7-14-04 TAB: 125-0243-005

Carter-Burgess

EXHIBIT A**Parcel 1 – Right of Way Easement**

A 25 foot wide strip of land located in a portion of the Grant Deed described in Book 20000428, Page 1590 Official Records of Sacramento County, also being a portion of Lot 4 of the H.S. Hill Tract filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, the northerly sideline of which is described as follows:

Commencing at the North quarter corner of Section 6, Township 6 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book 666 of Surveys, Page 26 Sacramento County Records; thence along the centerline of Elk Grove Boulevard South $89^{\circ} 27' 24''$ West 50.00 feet to the intersection with a line extending from the northeasterly corner of said Grant Deed that is perpendicular to said centerline, said intersection being the POINT OF BEGINNING for the herein described strip; thence from said Point of Beginning along said centerline South $89^{\circ} 27' 24''$ West 20.00 feet to the intersection with a line extending from the northwesterly corner of said Lot 4 that is perpendicular to said centerline, said intersection being the POINT OF TERMINATION for the herein described strip.

The sidelines of said strip shall be shortened or lengthened to begin and end on the property line of the grantor herein.

Parcel 2 – Public Service and Pedestrian Easement

A 17.5 foot wide strip of land located in a portion of the Grant Deed described in Book 20000428, Page 1590 Official Records of Sacramento County, also being a portion of Lot 4 of the H.S. Hill Tract filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, the northerly sideline of which is the southerly sideline of the hereinabove described Right of Way Easement.

The southerly sideline of said strip shall run along the northerly face of the existing building.

The sidelines of said strip shall be shortened or lengthened to begin and end on the property line of the grantor herein.

Exhibit B is attached herewith and made a part hereof.

It is presumed that ownership of the underlying parcel extends to the centerline of Elk Grove Boulevard, and that the sidelines of said underlying parcel are perpendicular to the centerline of Elk Grove Boulevard.

Basis of Bearings

The Basis of Bearings for the herein described land is the centerline of Elk Grove Boulevard, which bears North 89° 27' 24" East as shown on that certain Record of Survey filed in Book 66, of Surveys Page 26 Sacramento County Records.

End of Description

Gary T. Leonard, PLS 5303
Carter & Burgess, Inc
License Expires 12-31-05
Date: 7-14-04



Gary Leonard

Braulio Torres

APN 125-0243-006

Parcel 1 – Description for Public Right of Way Easement

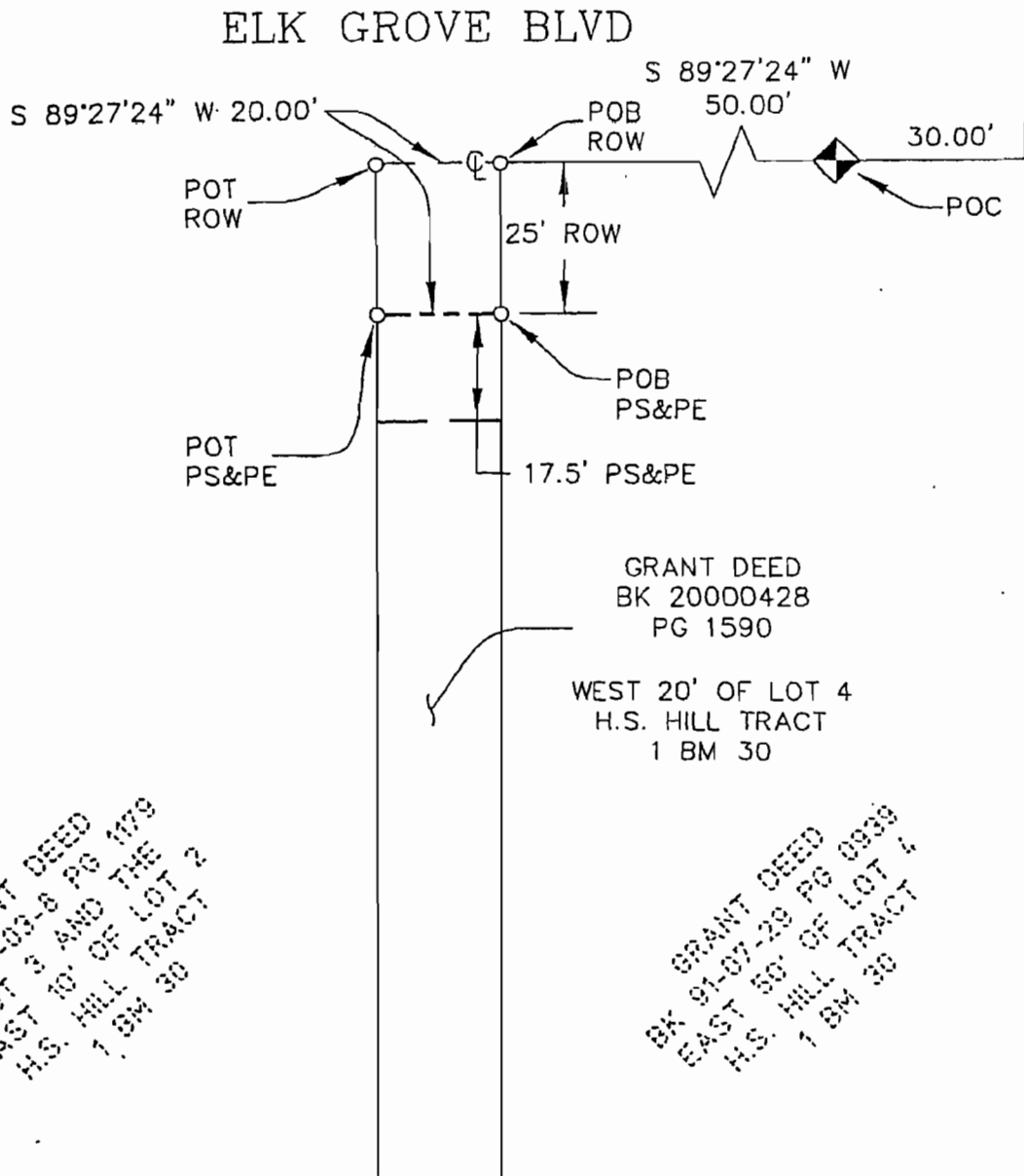
A public right of way easement, on, over, and under Property legally described in Parcel 1 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of public use, construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public-right-of-ways, highways, roadways, pedestrian walkways, parking, services, landscaping, utilities, waterlines, and necessary appurtenant structures. This Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel 2 – Description for Public Service and Pedestrian Easement


A Public Service and Pedestrian Easement, on, over, and under Property, legally described as Parcel 2 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of the construction, installation, improvement and maintenance of pedestrian walkways, together with any appurtenances pertaining thereto, and the installation and maintenance of landscaping, including but not limited to, trees, plants, planters, irrigation pipelines, drainage pipes, and their appurtenances. The Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

EXHIBIT B

SCALE: 1"=30'



LEGEND

-  NORTH 1/4 CORNER SEC. 6, T 6 N, R 6 E, MT. DIABLO B&M
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- POT POINT OF TERMINATION
- W RIGHT OF WAY
- PE PUBLIC SERVICE & PEDESTRIAN EASEMENT
- TCE TEMPORARY CONSTRUCTION EASEMENT
- CL CENTERLINE

G : . P: \Projects\333148.0\zDrawings\S\333148-PLATS AND LEGALS\dwg\SE EXHIBIT PLATS

AWN BY: CPR CHECKED BY: GL DATE: 7-14-04 TAB: 125-0243-006

Carter-Burgess

EXHIBIT A

Parcel 1 - Right of Way Easement

A 25 foot wide strip of land located in a portion of Parcels 2 and 3 of the Grant Deed described in Book 20020403, Page 0302 Official Records of Sacramento County, also being a portion of Lot 6 and Lot 7 of the H.S. Hill Tract filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, the northerly sideline of which is described as follows:

Commencing at the North quarter corner of Section 6, Township 6 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book 106 of Surveys, Page 26 Sacramento County Records; thence along the centerline of Elk Grove Boulevard North 89° 14' 34" East 82.85 feet to the intersection with a line extending from the northwesterly corner of said Lot 6 that is perpendicular to said centerline, said intersection being the POINT OF BEGINNING for the herein described strip; thence from said Point of Beginning along said centerline North 89° 14' 34" East 112.50 feet to the intersection with a line extending from the northeasterly corner of said Grant Deed that is perpendicular to said centerline, said intersection being the POINT OF TERMINATION for the herein described strip.

The sidelines of said strip shall be shortened or lengthened to begin and end on the property line of the grantor herein.

Parcel 2 - Public Service and Pedestrian Easement

A 23.5 foot wide strip of land located in a portion of Parcels 2 and 3 of the Grant Deed described in Book 20020403, Page 0302 Official Records of Sacramento County, also being a portion of Lot 6 and Lot 7 of the H.S. Hill Tract filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, the northerly sideline of which is described as follows:

Commencing at the North quarter corner of Section 6, Township 6 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book 106 of Surveys, Page 26 Sacramento County Records; thence along the centerline of Elk Grove Boulevard North 89° 14' 34" East 82.85 feet to the intersection with a line extending from the northwesterly corner of said Lot 6 that is perpendicular to said centerline; thence southerly coincident with said perpendicular line 25 feet to the POINT OF BEGINNING for the herein described strip; thence from said Point of Beginning along a line that is parallel with and 25 feet southerly from said centerline North 89° 14' 34" East 112.50 feet to the intersection with a line extending from the northeasterly corner of said Grant Deed that is perpendicular to said centerline, said intersection being the POINT OF TERMINATION for the herein described strip.

The sidelines of said strip shall be shortened or lengthened to begin and end on the property line of the grantor herein.

Parcel 3 – Temporary Construction Easement

A 10 foot wide strip of land located in a portion of Parcels 2 and 3 of the Grant Deed described in Book 20020403, Page 0302 Official Records of Sacramento County, also being a portion of Lot 6 and Lot 7 of the H.S. Hill Tract filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, the northerly sideline of which is the southerly sideline of the hereinabove described Public Service and Pedestrian Easement.

The sidelines of said strip shall be shortened or lengthened to begin and end on the property line of the grantor herein.

Exhibit B is attached herewith and made a part hereof.

It is presumed that ownership of the underlying parcel extends to the centerline of Elk Grove Boulevard, and that the sidelines of said underlying parcel are perpendicular to the centerline of Elk Grove Boulevard.

Basis of Bearings

The Basis of Bearings for the herein described land is the centerline of Elk Grove Boulevard, which bears North 89° 14' 34" East as shown on that certain Record of Survey filed in Book 666, of Surveys Page 26 Sacramento County Records.

End of Description

Gary T. Leonard, PLS 5303
Carter & Burgess, Inc
License Expires 12-31-05
Date: 7-12-04



Gary Leonard

Jacqueline Andersen

APN 125-0243-039

Parcel-1 – Description for Public Right of Way Easement

A public right of way easement, on, over, and under Property legally described in Parcel 1 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of public use, construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public-right-of-ways, highways, roadways, pedestrian walkways, parking, services, landscaping, utilities, waterlines, and necessary appurtenant structures. This Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel-2 – Description for Public Service and Pedestrian Easement

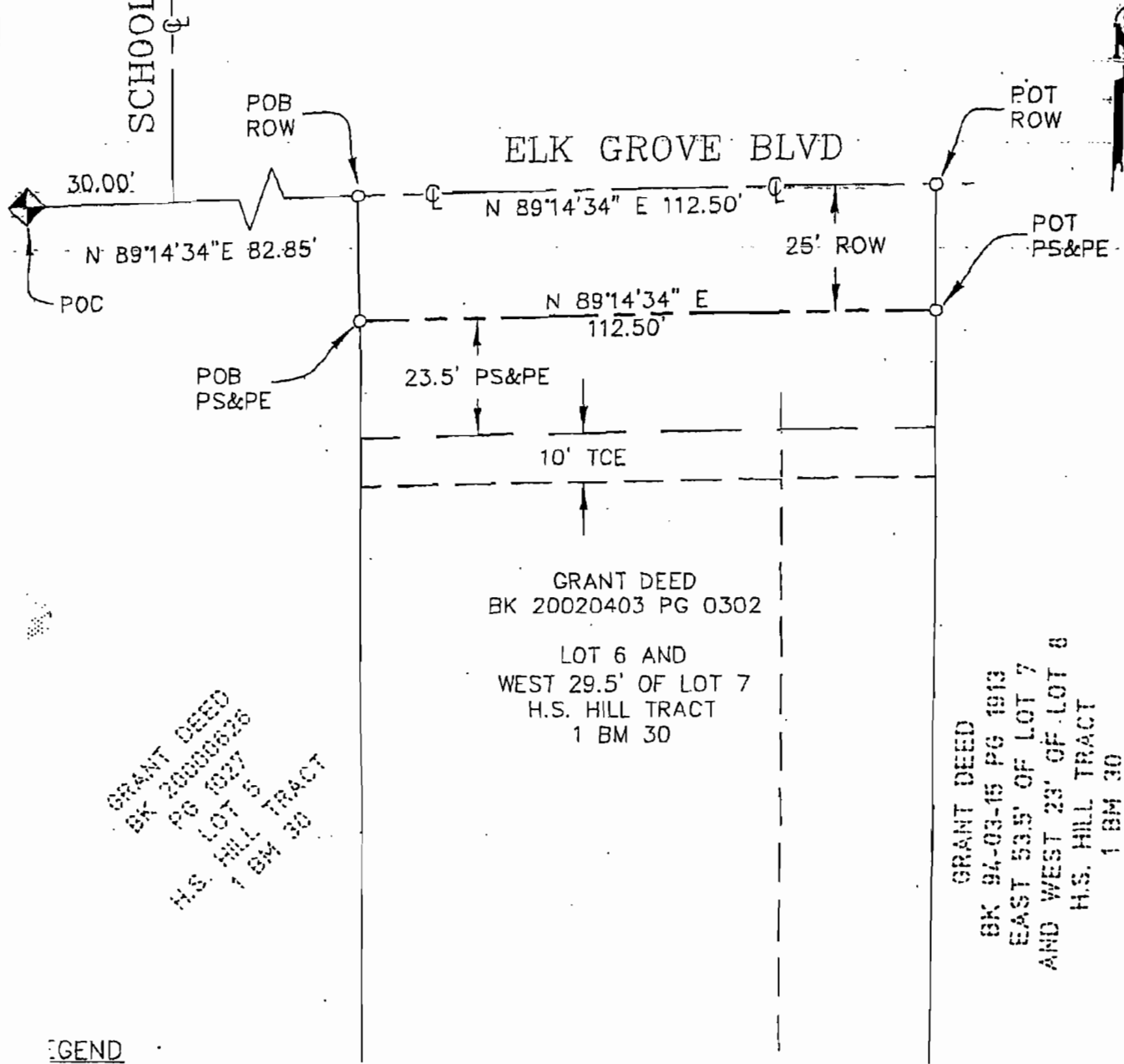
A Public Service and Pedestrian Easement, on, over, and under Property, legally described as Parcel 2 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of the construction, installation, improvement and maintenance of pedestrian walkways, together with any appurtenances pertaining thereto, and the installation and maintenance of landscaping, including but not limited to, trees, plants, planters, irrigation pipelines, drainage pipes, and their appurtenances. The Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel- 3 – Description for Temporary Construction Easement

A Temporary Construction Easement, on, over, and under Property, legally described in Parcel 3 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of construction related to the Project. This easement shall terminate upon completion of the construction of the Project or February 28, 2007, whichever is earlier. This Easement is in gross and is non-exclusive. The property owner reserves the right to use land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this gran

EXHIBIT B

SCALE: 1"=30'



GRANT DEED
BK 20000626
PG 1027
LOT 5
H.S. HILL TRACT
1 BM 30

GRANT DEED
BK 94-03-15 PG 1913
EAST 53.5' OF LOT 7
AND WEST 23' OF LOT 8
H.S. HILL TRACT
1 BM 30

LEGEND

- NORTH 1/4 CORNER SEC. 6, T 6 N, R 6 E, MT. DIABLO B&M
- C POINT OF COMMENCEMENT
- B POINT OF BEGINNING
- T POINT OF TERMINATION
- W RIGHT OF WAY
- &PE PUBLIC SERVICE & PEDESTRIAN EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT
- CENTERLINE

Projects\333148.0\Drawings\5\333148-PLATS AND LEGALS\dwg\SE EXHIBIT PLATS

CPR CHECKED BY: GL DATE: 7-14-04 TAB: 125-0243-039

Carter-Burgess

EXHIBIT A

Parcel 1 – Right of Way Easement

A parcel of land located in a portion of the Grant Deed described in Document Number 199908271255 Official Records of Sacramento County, also being a portion of Lot 31, Lot 32, and Lot 33 of the J.H. Kerr Tract filed in Book 1 of Maps, Page 28 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Beginning at the South quarter corner of Section 31, Township 7 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book 166 of Surveys, Page 210 Sacramento County Records; thence from said POINT OF BEGINNING, coincident with the quarter section line of said Section 31 North 00° 32' 36" West 80.75 feet; thence leaving said quarter section line North 89° 27' 24" East 60.00 feet; thence South 00° 32' 36" East 33.68 feet to a non-tangent curve to the left, of which the radius point bears North 58° 47' 16" East a radial distance of 59.50 feet; thence along the arc of said curve, through a central angle of 30° 27' 58", a distance of 31.64 feet to a point 25 feet northerly of the centerline of Elk Grove Boulevard; thence parallel with said centerline North 89° 14' 34" East 177.55 feet more or less to the easterly line of said Grant Deed; thence coincident therewith South 00° 32' 36" East 25.00 feet more or less to the centerline of Elk Grove Boulevard; thence coincident with said centerline South 89° 14' 34" West 260.00 feet more or less to the Point of Beginning.

Parcel 2 – Public Service and Pedestrian Easement

A parcel of land located in a portion of the Grant Deed described in Document Number 199908271255 Official Records of Sacramento County, also being a portion of Lot 31, Lot 32, and Lot 33 of the J.H. Kerr Tract filed in Book 1 of Maps, Page 28 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Commencing at the South quarter corner of Section 31, Township 7 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book 166 of Surveys, Page 210 Sacramento County Records; thence coincident with the quarter section line of said Section 31 North 00° 32' 36" West 80.75 feet; thence leaving said quarter section line North 89° 27' 24" East 60.00 feet; thence South 00° 32' 36" East 6.86 feet to the POINT OF BEGINNING for the herein described parcel, said Point of Beginning being on a non-tangent curve to the left, of which the radius bears North 81° 18' 06" East a radial distance of 48.34 feet; thence along said curve, through a central angle of 67° 51' 08", a distance of 57.24 feet; thence South 13° 26' 57" West 0.50 feet to a non-tangent curve to the left, of which the radius bears North 13° 26' 57" East a radial distance of 48.83 feet; thence along said curve, through a central angle of 14° 12' 24", a distance of 12.11 feet; thence North 89° 14' 34" East 151.97 feet more or less to

the easterly line of said Grant Deed; thence coincident therewith a single course of South 00° 32' 36" East 6.50 feet; thence South 89° 14' 34" West 177.55 feet to a non-tangent curve to the right, of which the radius point bears North 28° 19' 18" East a radial distance of 59.50 feet; thence along said curve, through a central angle of 30° 27' 58", a distance of 31.64 feet; thence North 00° 32' 36" West 26.82 feet to the Point of Beginning.

Parcel 3 – Temporary Construction Easement

A parcel of land located in a portion of the Grant Deed described in Document Number 199908271255 Official Records of Sacramento County, also being a portion of Lot 31, Lot 32, and Lot 33 of the J.H. Kerr Tract filed in Book 1 of Maps, Page 28 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Commencing at the South quarter corner of Section 31, Township 7 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book 106 of Surveys, Page 26 Sacramento County Records; thence coincident with the quarter section line of said Section 31 North 00° 32' 36" West 80.75 feet; thence leaving said quarter section line North 89° 27' 24" East 60.00 feet; to the POINT OF BEGINNING for the herein described parcel; thence North 89° 28' 23" East 9.51 feet to a non-tangent curve to the left, of which the radius point bears North 89° 28' 23" East a radial distance of 38.30 feet; thence along said curve, through a central angle of 90° 16' 52", a distance of 60.35 feet; thence South 00° 48' 29" East 0.53 feet; thence North 89° 14' 34" East 58.22 feet; thence South 00° 22' 54" East 5.22 feet; thence North 89° 37' 06" East 51.13 feet; thence North 00° 22' 54" West 5.56 feet; thence North 89° 14' 34" East 42.66 feet more or less to the easterly line of said grant deed; thence coincident therewith a single course of South 00° 32' 36" 10.00 feet; thence South 89° 14' 34" West 151.97 feet to a tangent curve to the right, with a radius of 48.83 feet; thence along said curve, through a central angle of 14° 12' 24", a distance of 12.11 feet; thence North 13° 26' 57" East 0.50 feet to a non-tangent curve to the right, of which the radius point bears North 13° 26' 57" East a radial distance of 48.34 feet; thence along said curve, through a central angle of 67° 51' 08", a distance of 57.24 feet; thence North 00° 32' 36" West 6.86 feet to the Point of Beginning.

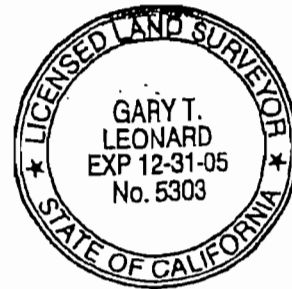
Exhibits B and C are attached herewith and made a part hereof.

Basis of Bearings

The Basis of Bearings for the herein described land is the centerline of Elk Grove Boulevard, which bears North 89° 14' 34" East as shown on that certain Record of Survey filed in Book 66, of Surveys Page 26 Sacramento County Records.

End of Description

Gary T. Leonard, PLS 5303
Carter & Burgess, Inc
License Expires 12-31-05
Date: 7-9-04



Gary Leonard

Paschal Lamb, LLC

APN 125-0252-015

Parcel-1 – Description for Public Right of Way Easement

A public right of way easement, on, over, and under Property legally described in Parcel 1 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of public use, construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public-right-of-ways, highways, roadways, pedestrian walkways, parking, services, landscaping, utilities, waterlines, and necessary appurtenant structures. This Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel-2 – Description for Public Service and Pedestrian Easement

A Public Service and Pedestrian Easement, on, over, and under Property, legally described as Parcel 2 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of the construction, installation, improvement and maintenance of pedestrian walkways, together with any appurtenances pertaining thereto, and the installation and maintenance of landscaping, including but not limited to, trees, plants, planters, irrigation pipelines, drainage pipes, and their appurtenances. The Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel- 3 – Description for Temporary Construction Easement

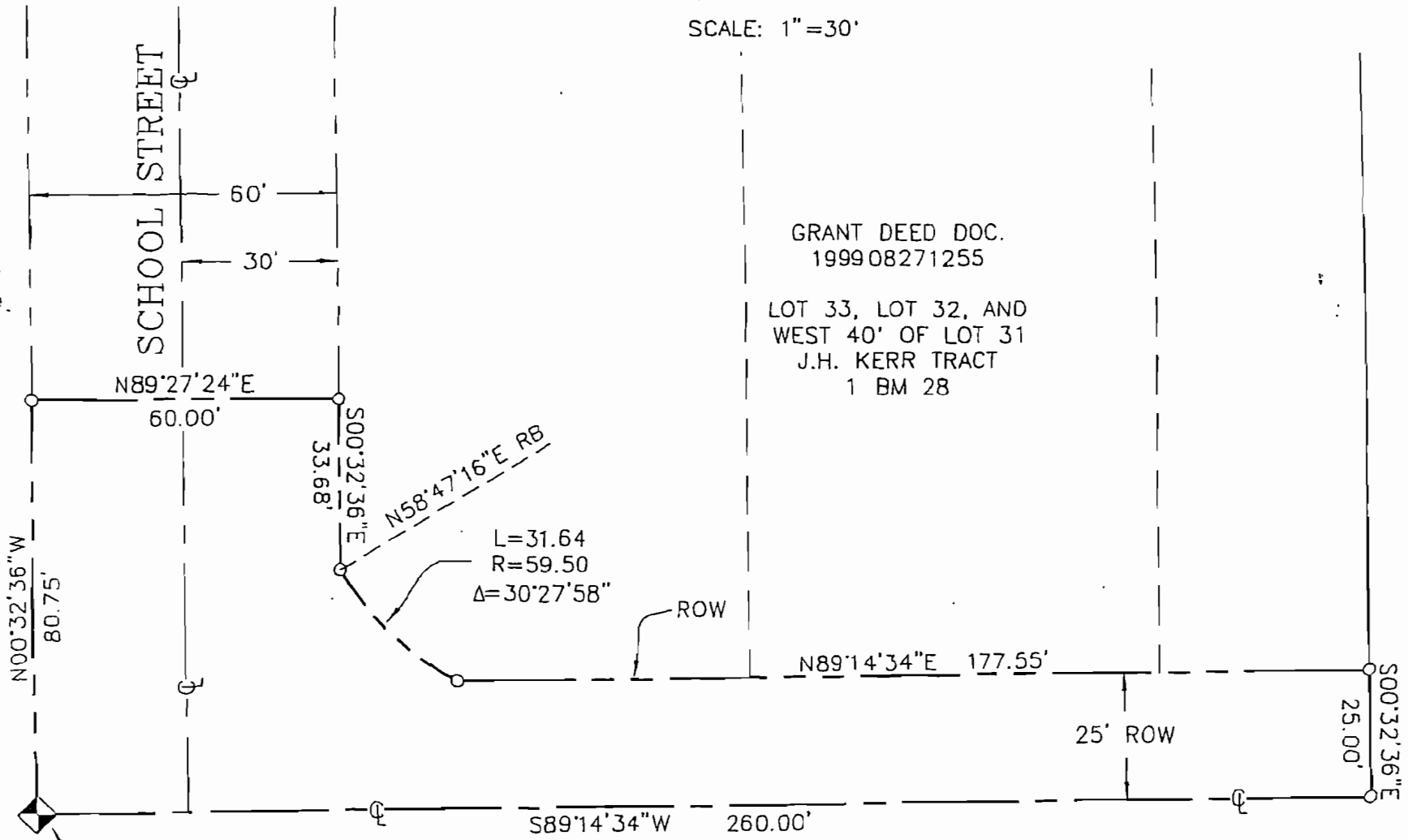
A Temporary Construction Easement, on, over, and under Property, legally described in Parcel 3 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of construction related to the Project. This easement shall terminate upon completion of the construction of the Project or February 28, 2007, whichever is earlier. This Easement is in gross and is non-exclusive. The property owner reserves the right to use land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this gran

EXHIBIT B






SCALE: 1" = 30'

GRANT DEED DOC.
199908271255

LOT 33, LOT 32, AND
WEST 40' OF LOT 31
J.H. KERR TRACT
1 BM 28



LEGEND

-  SOUTH 1/4 CORNER SEC. 31, T 7 N, R 6 E, MT. DIABLO B&M
-  POB POINT OF BEGINNING
-  ROW RIGHT OF WAY
-  RB RADIAL BEARING
-  CL CENTERLINE



Carter Burgess

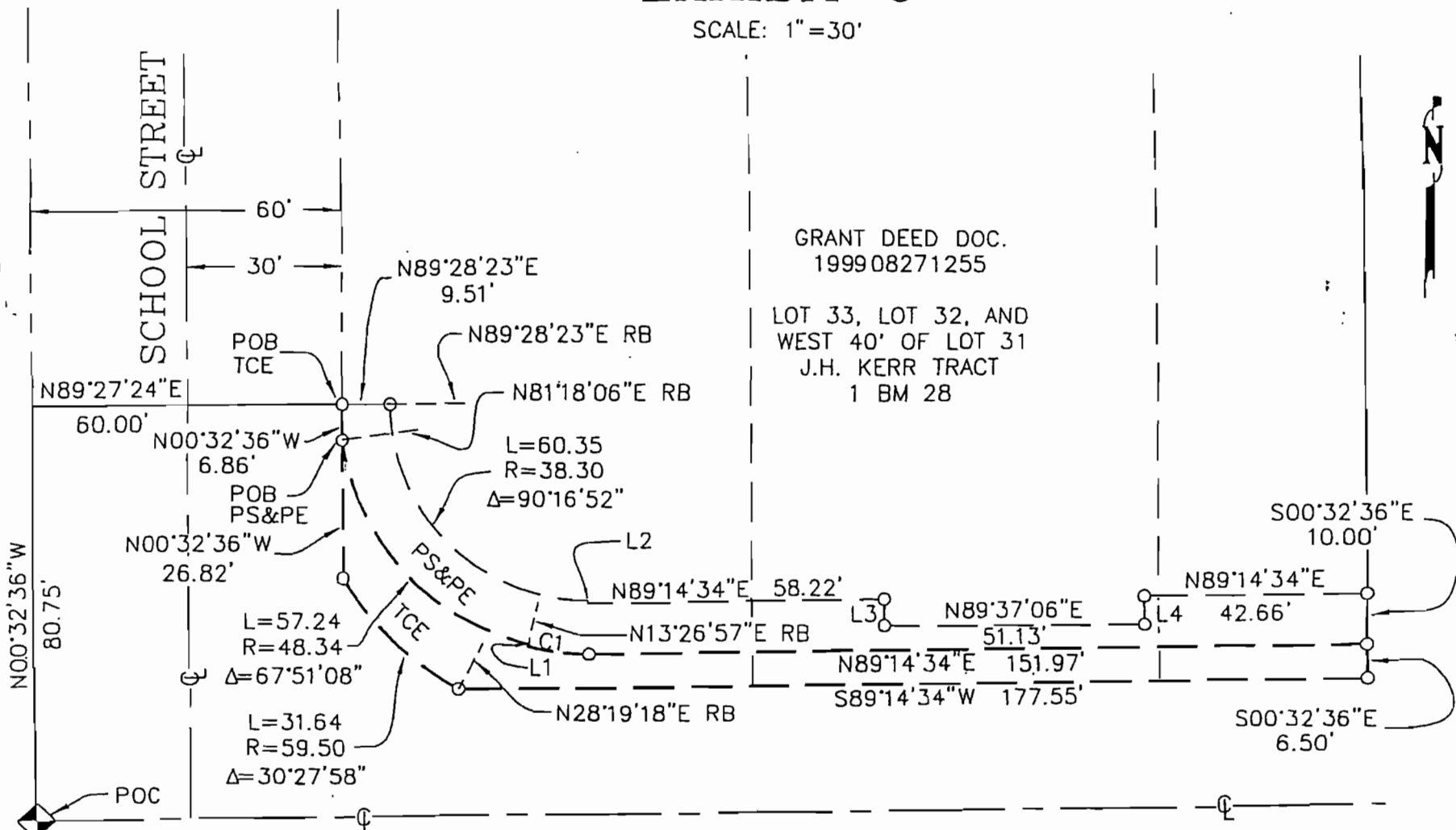
DWG : P:\Projects\333148.0\Drawings\5\333148-PLATS AND LEGALS\dwg\NE EXHIBIT PLATS
 DRAWN BY: CPR CHECKED BY: GL DATE: 7-9-04 TAB 125-0252-015R

EXHIBIT C

SCALE: 1"=30'

GRANT DEED DOC.
199908271255

LOT 33, LOT 32, AND
WEST 40' OF LOT 31
J.H. KERR TRACT
1 BM 28



LEGEND

- SOUTH 1/4 CORNER SEC. 31, T 7 N,
R 6 E, MT. DIABLO B&M
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- PS&PE PUBLIC SERVICE & PEDESTRIAN EASEMENT
- TCE TEMPORARY CONSTRUCTION EASEMENT
- RB RADIAL BEARING
- ☉ CENTERLINE

ELK GROVE BOULEVARD

- C1 L=12.11 R=48.83 Δ=14°12'24"
- L1 S13°26'57"W 0.50'
- L2 S00°48'29"E 0.53'
- L3 S00°22'54"E 5.22'
- L4 N00°22'54"W 5.56'

Russell Lewis

EXHIBIT A

Parcel 1 – Right of Way Easement

A parcel of land located in a portion of the Grant Deed described in Document Number 199705210226 Official Records of Sacramento County, also being a portion of Lot 1 and Lot 2 of the L. Bower Tract filed in Book 8 of Maps, Page 15 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Beginning at the South quarter corner of Section 31, Township 7 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book 66 of Surveys, Page 26 Sacramento County Records; thence from said POINT OF BEGINNING along the centerline of Elk Grove Boulevard South 89° 27' 24" West 110.00 feet to the southwest corner of said Grant Deed; thence coincident with the westerly line thereof North 00° 32' 36" West 25.00 feet; thence North 89° 27' 24" East 58.27 feet to a non-tangent curve to the left, of which the radius point bears North 13° 23' 34" West a radial distance of 299.50 feet; thence along said curve, through a central angle of 07° 18' 13", a distance of 38.18 feet to a compound curve to the left, with a radius of 39.50 feet; thence along said curve, through a central angle of 26° 33' 38", a distance of 18.31 feet to the easterly line of said Lot 1, said easterly line also being the quarter section line of said Section 31; thence coincident therewith a single course of South 00° 32' 36" East 45.84 feet to the Point of Beginning.

Parcel 2 – Public Service and Pedestrian Easement

A parcel of land located in a portion of the Grant Deed described in Document Number 199705210226 Official Records of Sacramento County, also being a portion of Lot 1 and Lot 2 of the L. Bower Tract filed in Book 8 of Maps, Page 15 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Commencing at the South quarter corner of Section 31, Township 7 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book 66 of Surveys, Page 26 Sacramento County Records; thence along the centerline of Elk Grove Boulevard South 89° 27' 24" West 110.00 to the southwest corner of said Grant Deed; thence coincident with the westerly line thereof North 00° 32' 36" West 25.00 feet to the POINT OF BEGINNING for the herein described parcel; thence from said Point of Beginning coincident with said westerly line North 00° 32' 36" West 16.00 feet; thence leaving said westerly line North 89° 27' 24" East 18.98 feet; thence South 00° 32' 36" East 4.50 feet; thence North 89° 27' 24" East 44.30 feet; thence North 75° 00' 06" East 1.35 feet; thence North 00° 32' 36" West 3.62 feet to a compound curve to the left, with a radius 286.00 feet; thence along said curve, through a central angle of 05° 22' 56", a distance of 26.87 feet to a compound curve to the left, with a radius of 26.00 feet; thence along said curve, through a central angle of 52° 41' 47", a

distance 23.91 feet; thence North 89° 27' 24" East 3.91 feet to the easterly line of said Lot 1, said easterly line also being the quarter section line of said Section 31; thence coincident with said quarter section line South 00° 32' 36" East 19.42 feet to a non-tangent curve to the right, of which the radius point bears North 47° 15' 25" West a radial distance of 39.50 feet; thence leaving said quarter section line along said curve, through a central angle of 26° 33' 38", a distance of 18.31 feet to a compound curve to the right, with a radius of 299.50 feet; thence along said curve, through a central angle of 07° 18' 13", a distance of 38.18 feet; thence South 89° 27' 24" West 58.27 feet to the Point of Beginning.

Parcel 3 – Temporary Construction Easement

A parcel of land located in a portion of the Grant Deed described in Document Number 199705210226 Official Records of Sacramento County, also being a portion of Lot 1 and Lot 2 of the L. Bower Tract filed in Book 8 of Maps, Page 15 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Commencing at the South quarter corner of Section 31, Township 7 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book 66 of Surveys, Page 26 Sacramento County Records; thence along the centerline of Elk Grove Boulevard South 89° 27' 24" West 110.00 feet to the southwest corner of said Grant Deed; thence coincident with the westerly line thereof North 00° 32' 36" West 41.00 feet to the POINT OF BEGINNING for the herein described parcel; thence from said Point of Beginning coincident with said westerly line North 00° 32' 36" West 10.00 feet; thence leaving said westerly line North 89° 27' 24" East 54.12 feet to a tangent curve to the left, with a radius of 76.00 feet; thence along said curve, through a central angle of 18° 11' 42", a distance of 24.13 feet to a compound curve to the left, with a radius of 276.00 feet; thence along said curve, through a central angle of 01° 57' 29", a distance of 9.43 feet to a compound curve to the left, with a radius of 16.00 feet; thence along said curve, through a central angle of 60° 30' 38", a distance of 16.90 feet; thence North 89° 45' 32" East 12.97 feet to the easterly line of said Lot 1, said easterly line also being the quarter section line of said Section 31; thence coincident with said quarter section line South 00° 32' 36" East 5.00 feet; thence leaving said quarter section line South 89° 27' 24" West 3.91 feet to a non-tangent curve to the right, of which the radius point bears North 73° 23' 34" West a radial distance of 26.00 feet; thence along said curve, through a central angle of 52° 41' 47", a distance of 23.91 feet to a compound curve to the right, with a radius of 286.00 feet; thence along said curve, through a central angle of 05° 22' 56", a distance of 26.87 feet; thence South 00° 32' 36" East 3.62 feet; thence South 75° 00' 06" West 1.35 feet; thence South 89° 27' 24" West 44.30 feet; thence North 00° 32' 36" West 4.50 feet; thence South 89° 27' 24" West 18.98 feet to the Point of Beginning.

Exhibits B and C are attached herewith and made a part hereof.

Basis of Bearings

The Basis of Bearings for the herein described land is the centerline of Elk Grove Boulevard, which bears North 89° 27' 24" East as shown on that certain Record of Survey filed in Book 66, of Surveys Page 26 Sacramento County Records.

End of Description

Gary T. Leonard, PLS 5303
Carter & Burgess, Inc
License Expires 12-31-05
Date: 7-27-04



Gary Leonard

Russell Lewis

APN 125-0253-005

Parcel-1 – Description for Public Right of Way Easement

A public right of way easement, on, over, and under Property legally described in Parcel 1 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of public use, construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public-right-of-ways, highways, roadways, pedestrian walkways, parking, services, landscaping, utilities, waterlines, and necessary appurtenant structures. This Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel-2 – Description for Public Service and Pedestrian Easement

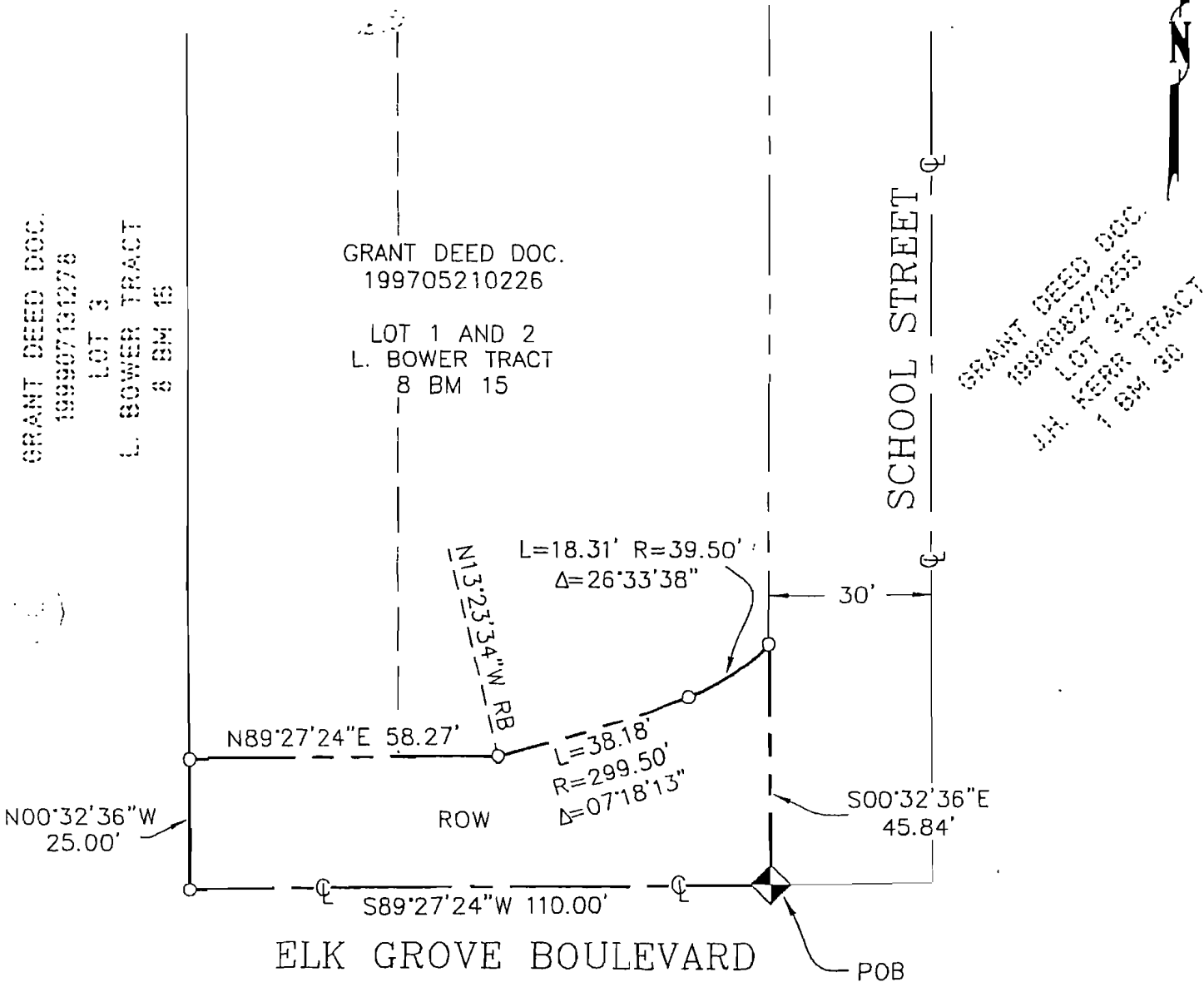
A Public Service and Pedestrian Easement, on, over, and under Property, legally described as Parcel 2 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of the construction, installation, improvement and maintenance of pedestrian walkways, together with any appurtenances pertaining thereto, and the installation and maintenance of landscaping, including but not limited to, trees, plants, planters, irrigation pipelines, drainage pipes, and their appurtenances. The Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel- 3 – Description for Temporary Construction Easement

A Temporary Construction Easement, on, over, and under Property, legally described in Parcel 3 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of construction related to the Project. This easement shall terminate upon completion of the construction of the Project or February 28, 2007, whichever is earlier. This Easement is in gross and is non-exclusive. The property owner reserves the right to use land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this gran

EXHIBIT B

SCALE: 1"=30'



LEGEND






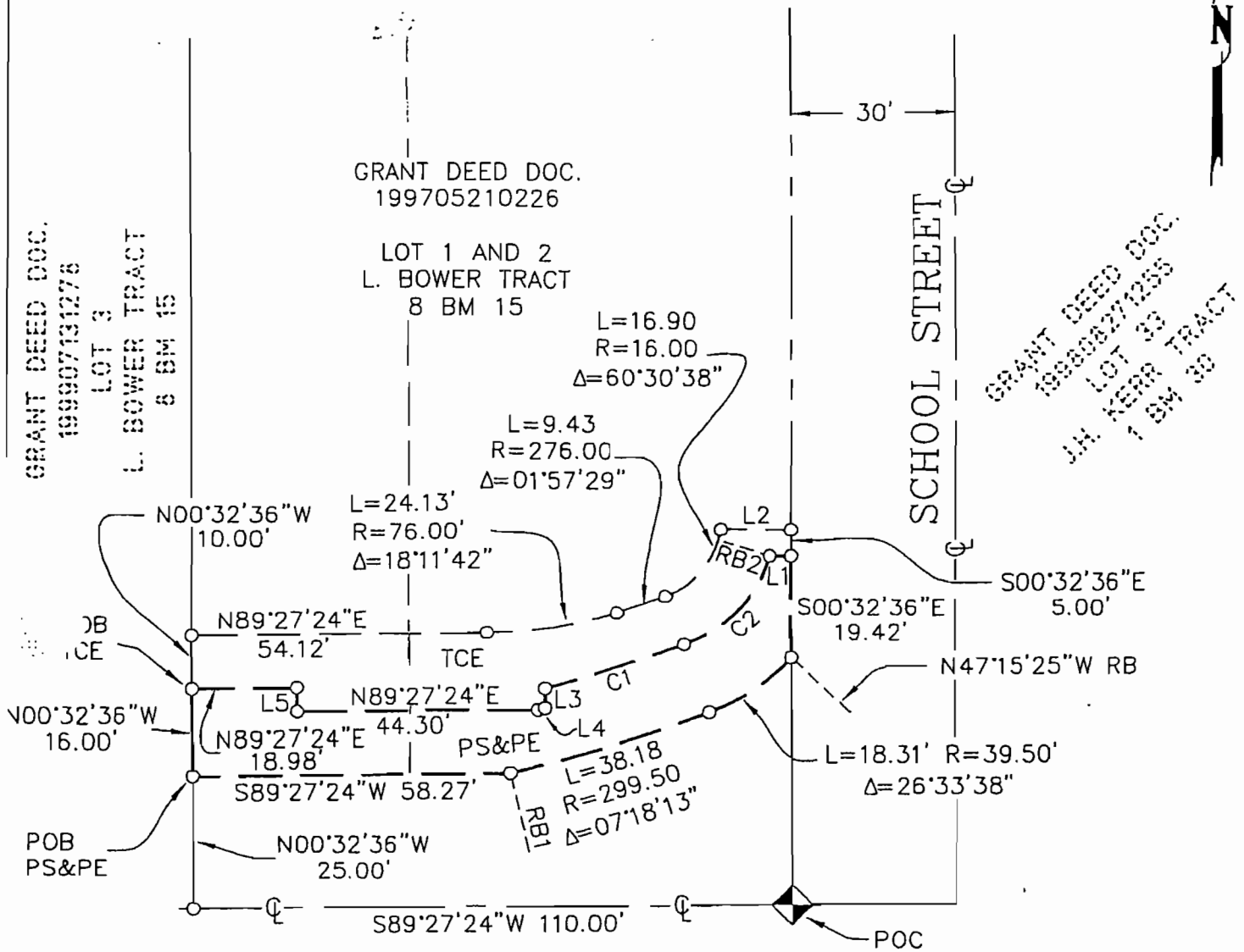
-  SOUTH 1/4 CORNER SEC. 31, T 7 N, R 6 E, MT. DIABLO B&M
-  POINT OF BEGINNING
-  RIGHT OF WAY
-  RADIAL BEARING
-  CENTERLINE


EXHIBIT C

SCALE: 1"=30'



ELK GROVE BOULEVARD

LEGEND

-  SOUTH 1/4 CORNER SEC. 31, T 7 N, R 6 E, MT. DIABLO B&M
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- ROW RIGHT OF WAY
- PS&PE PUBLIC SERVICE & PEDESTRIAN EASEMENT
- RB TEMPORARY CONSTRUCTION EASEMENT
- RB RADIAL BEARING
- C CENTERLINE

- L1 N89°27'24"E 3.91'
- L2 N89°45'32"E 12.97'
- L3 S00°32'36"E 3.62'
- L4 S75°00'06"W 1.35'
- L5 N00°32'36"W 4.50'
- C1 L=26.87 R=286.00 Δ=05°22'56"
- C2 L=23.91 R=26.00 Δ=52°41'47"
- RB1 N13°23'34"W
- RB2 N73°23'34"W

J. Anderson

EXHIBIT A

Parcel 1 – Right of Way Easement

A 25 foot wide strip of land located in a portion of the Grant Deed described in Book 20020403, Page 0302 Official Records of Sacramento County, also being a portion of Lot 6 of the L. Bower Tract filed in Book 8 of Maps, Page 15 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, the southerly sideline of which is described as follows:

Commencing at the South quarter corner of Section 31, Township 7 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book 106 of Surveys, Page 26 Sacramento County Records; thence along the centerline of Elk Grove Boulevard South $89^{\circ} 27' 24''$ West 240.00 feet to the intersection with a line extending from the southeasterly corner of said Lot 6 that is perpendicular to said centerline, said intersection being the POINT OF BEGINNING for the herein described strip; thence along said centerline South $89^{\circ} 27' 24''$ West 45.67 feet to the intersection with the centerline of a 10 foot wide alley, having a half width of 5 feet, as shown on said map of the L. Bower Tract, said intersection being the POINT OF TERMINATION for the herein described strip.

The sidelines of said strip shall be shortened or lengthened to begin and end on the property line of the grantor herein and end on the centerline of said 10 foot wide alley.

Parcel 2 – Public Service and Pedestrian Easement

A parcel of land located in a portion of the Grant Deed described in Book 20020403, Page 0302 Official Records of Sacramento County, also being a portion of Lot 6 of the L. Bower Tract filed in Book 8 of Maps, Page 15 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Commencing at the South quarter corner of Section 31, Township 7 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book 106 of Surveys, Page 26 Sacramento County Records; thence along the centerline of Elk Grove Boulevard South $89^{\circ} 27' 24''$ West 240.00 feet to the intersection with a line extending from the southeasterly corner of said Lot 6 that is perpendicular to said centerline; thence coincident with said line North $00^{\circ} 32' 36''$ West 25.00 feet to the POINT OF BEGINNING for the herein described parcel; thence from said Point of Beginning along a line that is parallel with and 25 feet northerly of said centerline South $89^{\circ} 27' 24''$ West 45.67 feet to the intersection with the centerline of a 10 foot wide alley, having a half width of 5 feet, as shown on said map of the L. Bower Tract; thence coincident with said centerline North $00^{\circ} 32' 36''$ West 7.90 feet to a point hereinafter referred to as POINT "A"; thence leaving said centerline North $89^{\circ} 27' 24''$ East 5.18 feet to the southwesterly corner of an existing brick structure; thence along the southerly face

of said brick structure North 89° 27' 24" East 4.16 feet to the westerly face of an existing set of steps; thence along the westerly face of said steps South 00° 32' 36" East 1.15 feet to the southwesterly corner of said steps; thence along the southerly face of said steps North 89° 27' 24" East 4.65 feet to the southeasterly corner of said steps; thence along the easterly face of said steps North 00° 32' 36" West 1.15 feet to the southerly face of said brick structure; thence along the southerly face of said brick structure North 89° 27' 24" East 13.89 feet to the westerly face of an existing set of steps; thence along the westerly face of said steps South 00° 32' 36" East 1.15 feet to the southwesterly corner of said steps; thence along the southerly face of said steps North 89° 27' 24" East 4.74 feet to the southeasterly corner of said steps; thence along the easterly face of said steps North 00° 32' 36" West 1.15 feet to the southerly face of said brick structure; thence along the southerly face of said brick structure North 89° 27' 24" East 9.22 feet to the southeasterly corner of said brick structure; thence along the easterly face of said brick structure North 00° 32' 36" West 4.85 feet to a point hereinafter referred to as POINT "B"; thence leaving said easterly face North 89° 27' 24" East 3.83 feet to the easterly line of said Lot 6; thence coincident with said easterly line South 00° 32' 36" East 12.75 feet to the Point of Beginning.

Parcel 3 – Temporary Construction Easement A

A parcel of land located in a portion of the Grant Deed described in Book 20020403, Page 0302 Official Records of Sacramento County, also being a portion of Lot 6 of the L. Bower Tract filed in Book 8 of Maps, Page 15 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Beginning at a point hereinabove referred to as POINT "A", said Point "A" being the POINT OF BEGINNING for the herein described parcel; thence from said Point of Beginning coincident with the centerline of a 10 foot wide alley, having a half width of 5 feet, as shown on said map of the L. Bower Tract, North 00° 32' 36" West 22.10 feet; thence leaving said alley centerline North 89° 27' 24" East 5.24 feet to the westerly face of an existing building; thence along said westerly building face South 00° 22' 45" East 22.10 feet to the southwesterly corner of an existing brick structure; thence leaving said structure South 89° 27' 24" West 5.18 feet to the Point of Beginning.

Parcel 4 – Temporary Construction Easement B

A parcel of land located in a portion of the Grant Deed described in Book 20020403, Page 0302 Official Records of Sacramento County, also being a portion of Lot 6 of the L. Bower Tract filed in Book 8 of Maps, Page 15 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Beginning at a point hereinabove referred to as POINT B, said Point B being the POINT OF BEGINNING for the herein described parcel; thence from said Point of Beginning North 00° 32' 36" West 10.00 feet; thence North 89° 27' 24" East 3.83 feet to the easterly line of said Lot 6; thence coincident with said easterly line South 00° 32' 36" East 10.00 feet; thence leaving said easterly line South 89° 27' 24" West 3.83 feet to the Point of Beginning.

Exhibit B is attached herewith and made a part hereof.

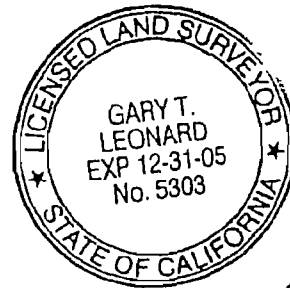
It is presumed that ownership of the underlying parcel extends to the centerline of Elk Grove Boulevard and to the centerline of a 10 foot wide alley, having a half width of 5 feet, as shown on the map of the L. Bower Tract, and that the sidelines of said underlying parcel and the centerline of said alley are perpendicular to the centerline of Elk Grove Boulevard.

Basis of Bearings

The Basis of Bearings for the herein described land is the centerline of Elk Grove Boulevard, which bears North 89° 27' 24" East as shown on that certain Record of Survey filed in Book 66 of Surveys, Page 26 Sacramento County Records.

End of Description

Gary T. Leonard, PLS 5303
Carter & Burgess, Inc
License Expires 12-31-05
Date: 7-25-04



Gary Leonard

Jacqueline Andersen

APN 125-0253-009

Parcel-1 – Description for Public Right of Way Easement

A public right of way easement, on, over, and under Property legally described in Parcel 1 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of public use, construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public-right-of-ways, highways, roadways, pedestrian walkways, parking, services, landscaping, utilities, waterlines, and necessary appurtenant structures. This Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

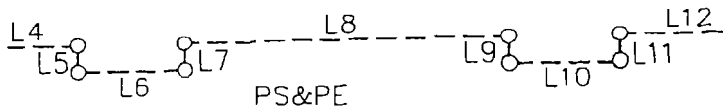
Parcel-2 – Description for Public Service and Pedestrian Easement

A Public Service and Pedestrian Easement, on, over, and under Property, legally described as Parcel 2 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of the construction, installation, improvement and maintenance of pedestrian walkways, together with any appurtenances pertaining thereto, and the installation and maintenance of landscaping, including but not limited to, trees, plants, planters, irrigation pipelines, drainage pipes, and their appurtenances. The Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel- 3 – Description for Temporary Construction Easement

A Temporary Construction Easement, on, over, and under Property, legally described in Parcel 3 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of construction related to the Project. This easement shall terminate upon completion of the construction of the Project or February 28, 2007, whichever is earlier. This Easement is in gross and is non-exclusive. The property owner reserves the right to use land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this gran

EXHIBIT B



SCALE: 1"=20'

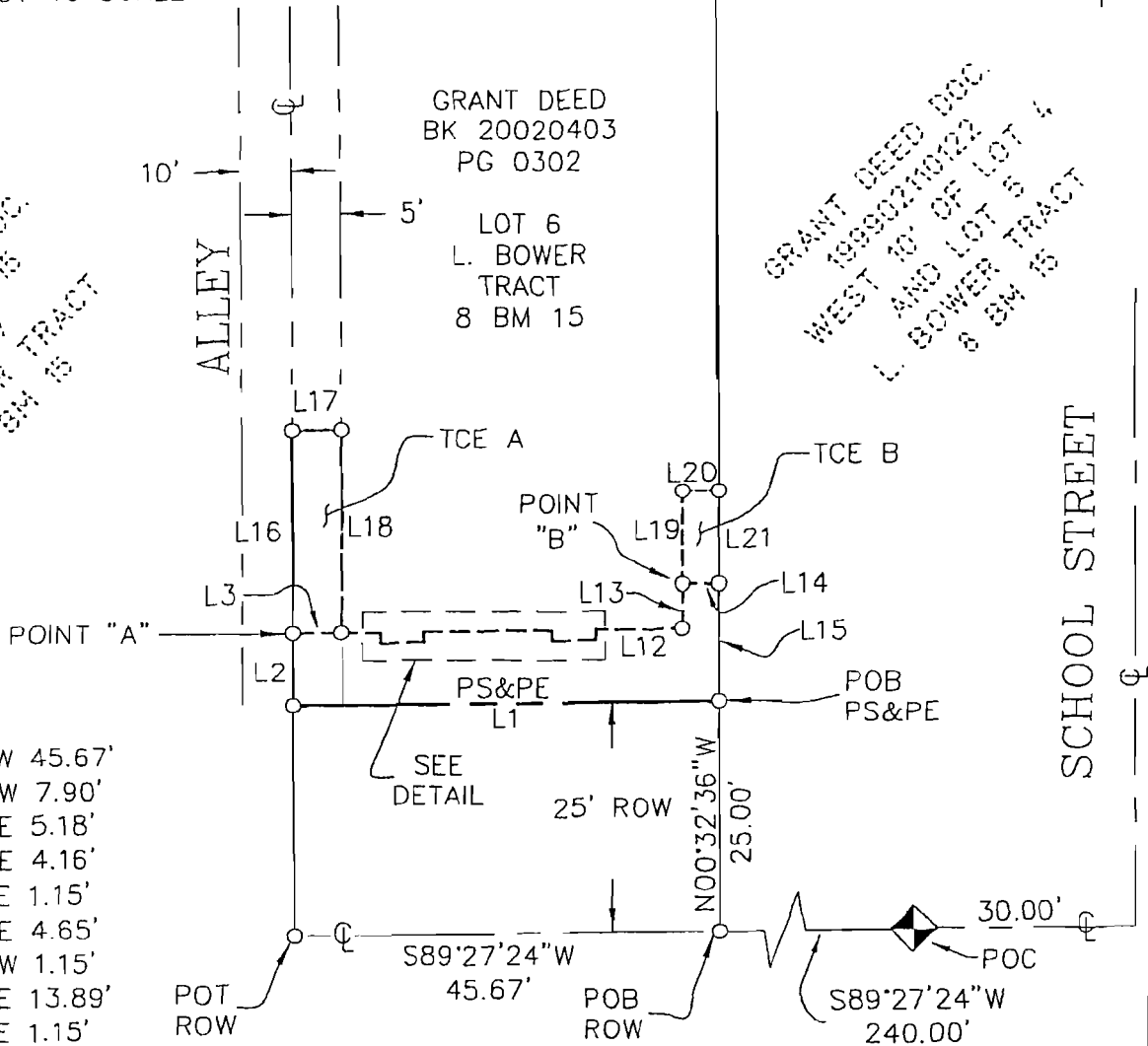
DETAIL
NOT TO SCALE

GRANT DEED DOC.
199905150516
LOT 7
L. BOWER TRACT
8 BM 15

GRANT DEED
BK 20020403
PG 0302

LOT 6
L. BOWER
TRACT
8 BM 15

GRANT DEED DOC.
199902101022
WEST 10' OF LOT 4
AND LOT 5
L. BOWER TRACT
8 BM 15



- L1 S89°27'24"W 45.67'
- L2 N00°32'36"W 7.90'
- L3 N89°27'24"E 5.18'
- L4 N89°27'24"E 4.16'
- L5 S00°32'36"E 1.15'
- L6 N89°27'24"E 4.65'
- L7 N00°32'36"W 1.15'
- L8 N89°27'24"E 13.89'
- L9 S00°32'36"E 1.15'
- L10 N89°27'24"E 4.74'
- L11 N00°32'36"W 1.15'
- L12 N89°27'24"E 9.22'
- L13 N00°32'36"W 4.85'
- L14 N89°27'24"E 3.83'
- L15 S00°32'36"E 12.75'
- L16 N00°32'36"W 22.10'
- L17 N89°27'24"E 5.24'
- L18 S00°22'45"E 22.10'
- L19 N00°32'36"W 10.00'
- L20 N89°27'24"E 3.83'
- L21 S00°32'36"E 10.00'

ELK GROVE BOULEVARD

LEGEND



- POC
- POB
- POT
- ROW
- PS&PE
- TCE
- ⊙

- SOUTH 1/4 CORNER SEC. 31, T 7 N,
R 6 E, MT. DIABLO B&M
- POINT OF COMMENCEMENT
- POINT OF BEGINNING
- POINT OF TERMINATION
- RIGHT OF WAY
- PUBLIC SERVICE & PEDESTRIAN EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT
- CENTERLINE

EXHIBIT A

Parcel 1 – Right of Way Easement

A 25 foot wide strip of land located in a portion of the Grant Deed described in Document Number 199805150515, Official Records of Sacramento County, also being a portion of Lot 7 of the L. Bower Tract filed in Book 8 of Maps, Page 15 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, the southerly sideline of which is described as follows:

Commencing at the South quarter corner of Section 31, Township 7 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book 66 of Surveys, Page 26 Sacramento County Records; thence along the centerline of Elk Grove Boulevard South $89^{\circ} 27' 24''$ West 285.67 feet to the intersection with the centerline of a 10 foot wide alley, having a half width of 5 feet, as shown on said map of the L. Bower Tract, said intersection being the POINT OF BEGINNING for the herein described strip; thence along said centerline of Elk Grove Boulevard South $89^{\circ} 27' 24''$ West 66.42 feet to the intersection with a line extending from the southwesterly corner of said Lot 7 that is perpendicular to said centerline, said intersection being the POINT OF TERMINATION for the herein described strip.

The sidelines of said strip shall be shortened or lengthened to begin on the centerline of said 10 foot wide alley and end on the westerly property line of the grantor herein.

Parcel 2 – Right of Way Easement

A parcel of land located in a portion of the Grant Deed described in Document Number 199805150515, Official Records of Sacramento County, also being a portion of Lot 7 of the L. Bower Tract filed in Book 8 of Maps, Page 15 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Commencing at the South quarter corner of Section 31, Township 7 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book 66 of Surveys, Page 26 Sacramento County Records; thence along the centerline of Elk Grove Boulevard South $89^{\circ} 27' 24''$ West 285.67 feet to the intersection with the centerline of a 10 foot wide alley, having a half width of 5 feet, as shown on said map of the L. Bower Tract; thence coincident with said alley centerline North $00^{\circ} 32' 36''$ West 25.00 feet to the POINT OF BEGINNING for the herein described parcel; thence from said Point of Beginning along a line that is parallel to and 25 feet northerly of said centerline of Elk Grove Boulevard South $89^{\circ} 27' 24''$ West 66.42 feet to the intersection with a line extending from the southwesterly corner of said Lot 7 that is perpendicular to said centerline; thence coincident with said line North $00^{\circ} 32' 36''$ West 19.75 feet to a point on the westerly line of said Lot 7 to be hereinafter referred to as POINT "A"; thence leaving said westerly line North $89^{\circ} 27' 24''$ East 6.36 feet to the southwesterly

corner of an existing building; thence along the face of said building North 89° 27' 24" East 14.68 feet to an angle point at the face of said building; thence along the face of said building South 00° 32' 36" East 3.90 feet to an angle point at the face of said building; thence along the face of said building North 89° 27' 24" East 10.51 feet to an angle point at the face of said building; thence North 00° 32' 36" East 4.15 feet to an angle point at the face of said building; thence along the face of said building North 89° 27' 24" East 15.96 feet to a point to be hereinafter referred to as POINT "B", said Point "B" also being the southeasterly corner of said building; thence leaving said building North 89° 27' 24" East 18.92 feet to the centerline of said 10 foot wide alley, having a half width of 5 feet; thence coincident with said alley centerline South 00° 32' 36" East 20.00 feet to the Point of Beginning.

Parcel 3 – Temporary Construction Easement A

A parcel of land located in a portion of the Grant Deed described in Document Number 199805150515, Official Records of Sacramento County, also being a portion of Lot 7 of the L. Bower Tract filed in Book 8 of Maps, Page 15 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Beginning at a point hereinbefore referred to as POINT "A", said Point "A" being the POINT OF BEGINNING for the herein described parcel; thence from said Point of Beginning coincident with the westerly line of said Lot 7 North 00° 32' 36" West 10.25 feet; thence leaving said westerly line North 89° 27' 24" East 6.22 feet to the westerly face of an existing building; thence along said westerly building face South 01° 18' 23" East 10.25 feet to the southwesterly corner of said building; thence leaving said building South 89° 27' 24" West 6.36 feet to the Point of Beginning.

Parcel 4 – Temporary Construction Easement B

A parcel of land located in a portion of the Grant Deed described in Document Number 199805150515, Official Records of Sacramento County, also being a portion of Lot 7 of the L. Bower Tract filed in Book 8 of Maps, Page 15 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Beginning at a point hereinbefore referred to as POINT "B", said Point "B" being the southeasterly corner of an existing building; said Point B being the POINT OF BEGINNING for the herein described parcel; thence from said Point of Beginning along the easterly face of said building North 00° 31' 41" West 10.00 feet; thence leaving said easterly building face North 89° 27' 24" East 18.91 feet to the centerline of a 10 foot wide alley, having a half width of 5 feet, as shown on said map of the L. Bower Tract; thence coincident with said centerline South 00° 32' 36" East 10.00 feet; thence leaving said centerline South 89° 27' 24" West 18.92 feet to the Point of Beginning.

Exhibit B is attached herewith and made a part hereof.

It is presumed that ownership of the underlying parcel extends to the centerline of Elk Grove Boulevard and the centerline of a 10 foot wide alley, having a half width of 5 feet, as shown on the map of the L. Bower Tract, and that the sidelines of said underlying parcel and the centerline of said alley are perpendicular to the centerline of Elk Grove Boulevard.

Basis of Bearings

The Basis of Bearings for the herein described land is the centerline of Elk Grove Boulevard, which bears North 89° 27' 24" East as shown on that certain Record of Survey filed in Book 66 of Surveys, Page 26 Sacramento County Records.

End of Description

Gary T. Leonard, PLS 5303
Carter & Burgess, Inc
License Expires 12-31-05
Date: 7-25-04



Gary Leonard

Shier Chen

APN 125-0253-010

Parcel-1 – Description for Public Right of Way Easement

A public right of way easement, on, over, and under Property legally described in Parcel 1 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of public use, construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public-right-of-ways, highways, roadways, pedestrian walkways, parking, services, landscaping, utilities, waterlines, and necessary appurtenant structures. This Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel-2 – Description for Public Service and Pedestrian Easement

A Public Service and Pedestrian Easement, on, over, and under Property, legally described as Parcel 2 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of the construction, installation, improvement and maintenance of pedestrian walkways, together with any appurtenances pertaining thereto, and the installation and maintenance of landscaping, including but not limited to, trees, plants, planters, irrigation pipelines, drainage pipes, and their appurtenances. The Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel- 3 – Description for Temporary Construction Easement

A Temporary Construction Easement, on, over, and under Property, legally described in Parcel 3 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of construction related to the Project. This easement shall terminate upon completion of the construction of the Project or February 28, 2007, whichever is earlier. This Easement is in gross and is non-exclusive. The property owner reserves the right to use land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this gran

EXHIBIT B

SCALE: 1" = 30'

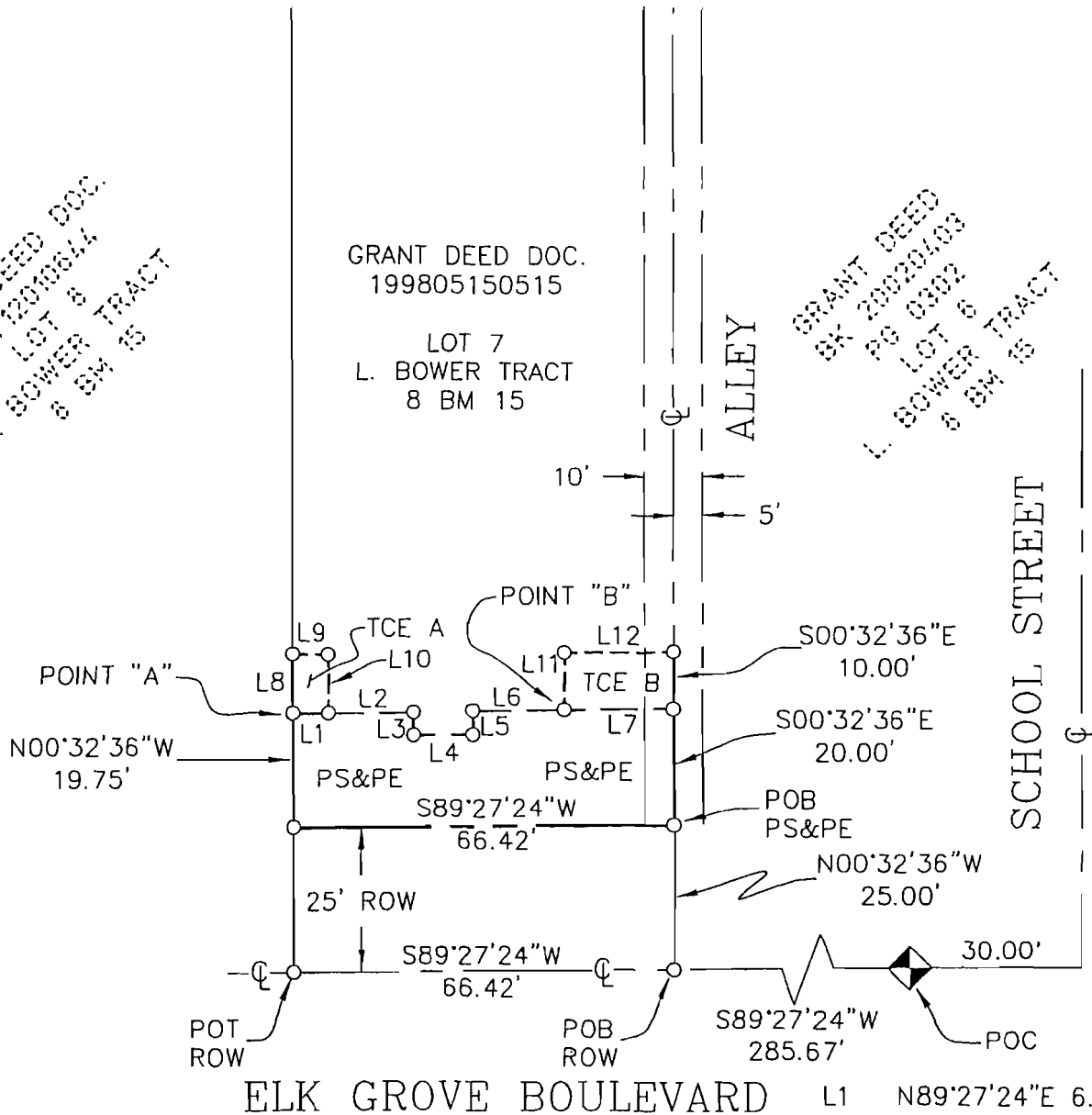


GRANT DEED DOC.
199720206LL
LOT 6
L. BOWER TRACT
8 BM 15

GRANT DEED DOC.
199805150515

LOT 7
L. BOWER TRACT
8 BM 15

GRANT DEED
EX 200201403
PG 0302
LOT 6
L. BOWER TRACT
8 BM 15



ELK GROVE BOULEVARD

L1	N89°27'24"E	6.36'
L2	N89°27'24"E	14.68'
L3	S00°32'36"E	3.90'
L4	N89°27'24"E	10.51'
L5	N00°32'36"E	4.15'
L6	N89°27'24"E	15.96'
L7	N89°27'24"E	18.92'
L8	N00°32'36"W	10.25'
L9	N89°27'24"E	6.22'
L10	S01°18'23"E	10.25'
L11	N00°31'41"W	10.00'
L12	N89°27'24"E	18.91'

LEGEND



SOUTH 1/4 CORNER SEC. 31, T 7 N,
R 6 E, MT. DIABLO B&M

- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- POT POINT OF TERMINATION
- ROW RIGHT OF WAY
- PS&PE PUBLIC SERVICE & PEDESTRIAN EASEMENT
- TCE TEMPORARY CONSTRUCTION EASEMENT
- CL CENTERLINE

EXHIBIT A

A parcel of land located in a portion of the Western Pacific Rail Road Ground, now known as the Union Pacific Railroad, as shown on the Map of Elk Grove Station, filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Commencing at the North quarter corner of Section 6, Township 6 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book 66 of Surveys, Page 26 Sacramento County Records; thence along the centerline of Elk Grove Boulevard South 89° 27' 24" West 644.17 feet to a point on the westerly operating right of way line for the rail road, said operating right of way line being 50 feet westerly of and measured perpendicular to the centerline of the main tracks; thence coincident therewith South 16° 40' 41" East 26.03 feet to the POINT OF BEGINNING for the herein described parcel; thence from said Point of Beginning along a line parallel with and 25 feet southerly of said centerline North 89° 27' 24" East 14.19 feet; thence South 00° 32' 36" East 49.07 feet to a point on said westerly operating right of way; thence coincident therewith North 16° 40' 41" East 51.08 feet to the Point of Beginning.

Exhibit B attached herewith and made a part hereof.

It is presumed that ownership of the underlying parcel extends to the centerline of Elk Grove Boulevard.

Basis of Bearings

The Basis of Bearings for the herein described parcel is the centerline of Elk Grove Boulevard which bears North 89° 27' 24" East as shown on that certain Record of Survey Recorded in Book 66, of Surveys Page 26 Sacramento County Records.
End of Description

End of Description

Gary T Leonard, PLS 5303
Carter & Burgess, Inc
License Expires 12-31-05
Date: 8-18-04



Gary Leonard

**Union Pacific Railroad
APN SBE 872-34-21-10**

Parcel-1 – Description for Public Right of Way Easement

A public right of way easement, on, over, and under Property legally described in Parcel 1 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of public use, construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public-right-of-ways, highways, roadways, pedestrian walkways, parking, services, landscaping, utilities, waterlines, and necessary appurtenant structures. This Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel-2 – Description for Public Service and Pedestrian Easement

A Public Service and Pedestrian Easement, on, over, and under Property, legally described as Parcel 2 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of the construction, installation, improvement and maintenance of pedestrian walkways, together with any appurtenances pertaining thereto, and the installation and maintenance of landscaping, including but not limited to, trees, plants, planters, irrigation pipelines, drainage pipes, and their appurtenances. The Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel- 3 – Description for Temporary Construction Easement

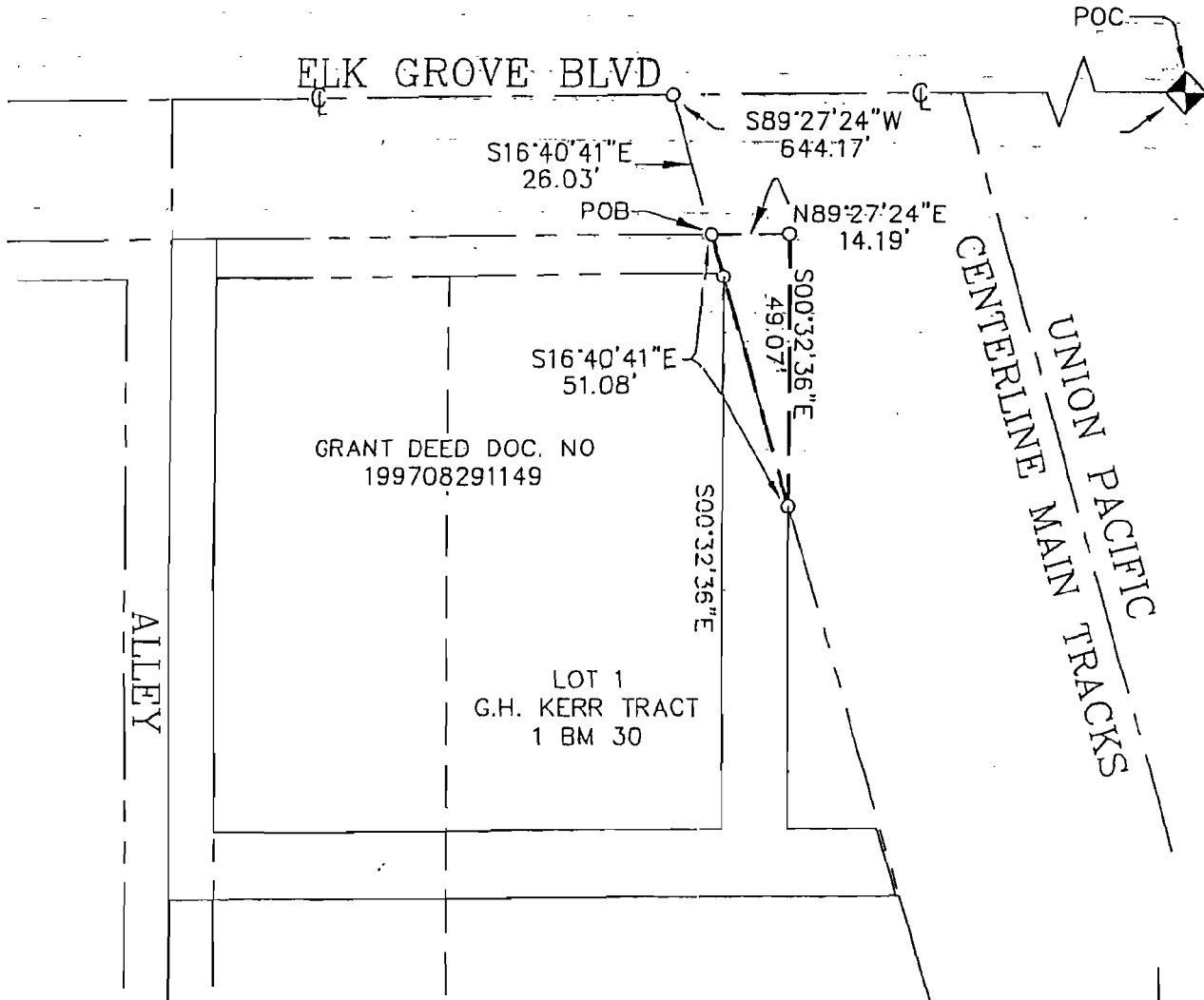
A Temporary Construction Easement, on, over, and under Property, legally described in Parcel 3 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of construction related to the Project. This easement shall terminate upon completion of the construction of the Project or February 28, 2007, whichever is earlier. This Easement is in gross and is non-exclusive. The property owner reserves the right to use land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Description for Access Easement

An Access Easement on, over, and under the Property, legally described in Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of access and public use, construction, reconstruction, installation, repair, improvement, inspection, expansion, and maintenance of said access and public right-of-ways and necessary appurtenant structures. This Easement is in gross and is non-exclusive. Property owner reserves the right to use the land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

EXHIBIT B

SCALE: 1"=30'



LEGEND



NORTH 1/4 CORNER SEC. 6, T 6 N,
R 6 E, MT. DIABLO B&M

POC

POINT OF COMMENCEMENT

POB

POINT OF BEGINNING



CENTERLINE

EXHIBIT A

Parcel 1 – Right of Way Easement

A parcel of land located in a portion of the Western Pacific Rail Road Ground, now known as the Union Pacific Railroad, as shown on the Map of Elk Grove Station, filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Commencing at the North quarter corner of Section 6, Township 6 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book 66 of Surveys, Page 26, Sacramento County Records; thence along the centerline of Elk Grove Boulevard South $89^{\circ} 27' 24''$ West 325.01 feet to the intersection with a line extending northwesterly from the northwesterly corner of Lot 1 as shown on said Map of Elk Grove Station, said intersection being the POINT OF BEGINNING for the herein described parcel; thence from said Point of Beginning along said northwesterly extension South $16^{\circ} 40' 41''$ East 31.23 feet to a point hereinafter referred to as POINT "A"; thence leaving said northwesterly extension along a line parallel with and 30 feet southerly of the centerline of Elk Grove Boulevard South $89^{\circ} 27' 24''$ West 215.06 feet to a point on the easterly operating right of way line for the rail road, said operating right-of-way line being 50 feet easterly of and measured perpendicular to the centerline of the main tracks; thence along said easterly operating right of way line North $16^{\circ} 40' 41''$ West 31.23 feet to a point on said centerline of Elk Grove Boulevard; thence coincident therewith North $89^{\circ} 27' 24''$ East 215.06 feet to the Point of Beginning.

Parcel 2 – Public Service and Pedestrian Easement

A parcel of land located in a portion of the Western Pacific Rail Road Ground, now known as the Union Pacific Railroad, as shown on the Map of Elk Grove Station, filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Beginning at a point hereinbefore referred to as POINT "A", thence from said Point of Beginning along the westerly boundary of the aforementioned Lot 1 South $16^{\circ} 40' 41''$ East 11.45 feet to a point hereinafter referred to as POINT "B"; thence leaving said westerly boundary South $89^{\circ} 27' 24''$ West 95.83 feet; thence South $66^{\circ} 57' 24''$ West 3.83 feet; thence South $44^{\circ} 27' 24''$ West 16.93 feet; thence South $89^{\circ} 27' 24''$ West 10.86 feet to a non-tangent curve to the left, of which the radius point bears South $60^{\circ} 20' 49''$ East a distance of 49.50 feet; thence along said curve, through a central angle of $43^{\circ} 49' 29''$, a distance of 37.86 feet; thence South $69^{\circ} 59' 05''$ West 28.76 feet to a non-tangent curve to the left, of which the radius point bears South $69^{\circ} 59' 05''$ West a distance of 244.49 feet; thence along said curve, through a central angle of $16^{\circ} 29' 30''$, a distance of 70.37 feet; thence South $89^{\circ} 27' 24''$ West 28.53 feet to a point on the aforementioned easterly operating right of way line for the rail road; thence coincident therewith North $16^{\circ} 40' 41''$ West 8.85 feet; thence leaving said easterly operating right of way line and coincident with the southerly sideline of the aforementioned Right of Way Easement North $89^{\circ} 27' 24''$ East 215.06 feet to the Point of Beginning.

Parcel 3 - Temporary Construction Easement

A parcel of land located in a portion of the Western Pacific Rail Road Ground, now known as the Union Pacific Railroad, as shown on the Map of Elk Grove Station, filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Beginning at a point hereinbefore referred to as POINT "B", thence from said Point of Beginning along the westerly boundary of the aforementioned Lot 1 South $16^{\circ} 40' 41''$ East 10.41 feet; thence leaving said westerly boundary South $89^{\circ} 27' 24''$ West 96.65 feet; thence South $44^{\circ} 27' 24''$ West 19.00 feet; thence South $12^{\circ} 24' 53''$ West 33.49 feet; thence South $69^{\circ} 59' 05''$ West 11.72 feet; thence South $13^{\circ} 25' 40'$ East 46.14 feet; thence South $03^{\circ} 25' 34'$ East 45.83 feet; thence South $03^{\circ} 29' 32'$ East 27.69 feet; thence South $68^{\circ} 44' 06'$ West 46.61 feet to a point on the easterly operating right of way line for the rail road, said operating right-of-way line being 50 feet easterly of and measured perpendicular to the centerline of the main tracks; thence along said easterly operating right of way line North $16^{\circ} 40' 41''$ West 106.35 feet; thence leaving said easterly operating right of way line North $69^{\circ} 59' 05''$ East 32.52 feet; North $20^{\circ} 00' 56''$ West 10.00 feet to a non-tangent curve to the left, of which the radius point bears South $72^{\circ} 25' 44''$ West a distance of 234.49 feet; thence along said curve, through a central angle of $17^{\circ} 41' 58''$, a distance of 72.44 feet; thence South $89^{\circ} 27' 24''$ West 20.47 feet to a point on the aforementioned easterly operating right of way line for the rail road; thence coincident therewith North $16^{\circ} 40' 41''$ West 10.41 feet; thence leaving said easterly operating right of way line and coincident with the southerly boundary of the aforementioned Public Service and Pedestrian Easement North $89^{\circ} 27' 24''$ East 28.53 feet to a non-tangent curve to the right, of which the radius point bears South $53^{\circ} 29' 35''$ West a distance of 244.49 feet; thence along said curve, through a central angle of $16^{\circ} 29' 30''$, a distance of 70.37 feet; thence North $69^{\circ} 59' 05''$ East 28.76 feet to a non-tangent curve to the right, of which the radius point bears North $75^{\circ} 49' 42''$ East a distance of 49.50 feet; thence along said curve, through a central angle of $43^{\circ} 49' 29''$, a distance of 37.86 feet; thence North $89^{\circ} 27' 24''$ East 10.86 feet; thence North $44^{\circ} 27' 24''$ East 16.93 feet; thence North $66^{\circ} 57' 24''$ East 3.83 feet; thence North $89^{\circ} 27' 24''$ East 95.83 feet to the Point of Beginning.

Exhibit B attached herewith and made a part hereof.

It is presumed that ownership of the underlying parcel extends to the centerline of Elk Grove Boulevard.

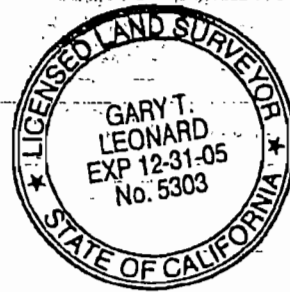
Basis of Bearings

The Basis of Bearings for the herein described parcel is the centerline of Elk Grove Boulevard which bears North $89^{\circ} 27' 24''$ East as shown on that certain Record of Survey Recorded in Book 66 of Surveys, Page 26, Sacramento County Records.

End of Description

End of Description

Gary T Leonard, PLS 5303
Carter & Burgess, Inc
License Expires 12-31-05
Date: 9-15-04



Gary Leonard

EXHIBIT B

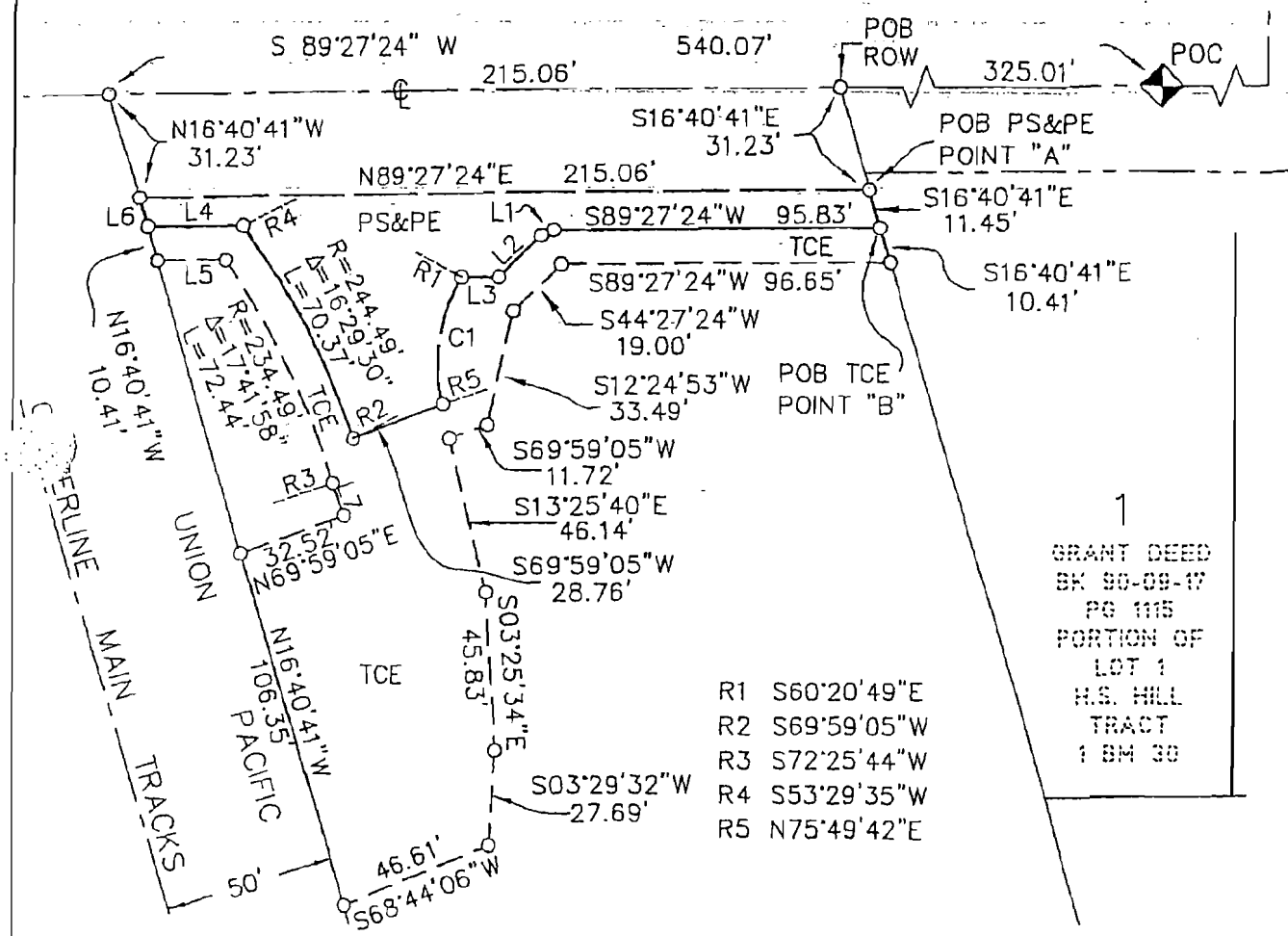
PORTION OF LOT 1 H.S. HILL TRACT

1 BM 30

SCALE: 1"=60'

ELK GROVE BLVD

SCHOOL ST.




1
GRANT DEED
BK 98-09-17
PG 1115
PORTION OF
LOT 1
H.S. HILL
TRACT
1 BM 30

- R1 S60°20'49"E
- R2 S69°59'05"W
- R3 S72°25'44"W
- R4 S53°29'35"W
- R5 N75°49'42"E

- L1 S66°57'24"W 3.83'
- L2 S44°27'24"W 16.93'
- L3 S89°27'24"W 10.86'
- L4 S89°27'24"W 28.53'
- L5 S89°27'24"W 20.47'
- N16°40'41"W 8.85'
- N20°00'56"W 10.00'
- C1 R=49.50' Δ=43°49'29" L=37.86'

LEGEND

-  NORTH 1/4 CORNER SEC. 6, T 6 N, R 6 E, MDBM
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- POT POINT OF TERMINATION
- ROW RIGHT OF WAY
- PS&PE PUBLIC SERVICE & PEDESTRIAN EASEMENT
- TCE TEMPORARY CONSTRUCTION EASEMENT
- ⊕ CENTERLINE

DWG : P:\Projects\333148.0\Drawings\S\333148-PLATS AND LEGALS\dwg\SE EXHIBIT PLATS

DRAWN BY: EAL CHECKED BY: GTL DATE: 9-15-04 PR FSMT

Carter-Burress

EXHIBIT A**Parcel 1 – Right of Way Easement**

A 25 foot wide strip of land located in a portion of the Grant Deed described in Book 90-03-19, Page 0896 Official Records of Sacramento County, also being a portion of Lot 5 and Lot 6 of the J.H. Kerr Tract filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, the southerly sideline of which is described as follows:

Commencing at the intersection of the centerline of Elk Grove Boulevard and the centerline of Second Street as shown on that certain record of survey filed in Book _____ of Surveys, Page _____ Sacramento County Records; thence along the centerline of Elk Grove Boulevard North $89^{\circ} 27' 24''$ East 261.79 feet to the intersection with a line extending from the southwesterly corner of said Lot 6 that is perpendicular to said centerline, said intersection being the POINT OF BEGINNING for the herein described strip; thence from said Point of Beginning along said centerline North $89^{\circ} 27' 24''$ East 120.00 feet to the intersection with a line extending from the southeasterly corner of said Grant Deed that is perpendicular to said centerline, said intersection being the POINT OF TERMINATION for the herein described strip.

The sidelines of said strip shall be shortened or lengthened to begin and end on the property line of the grantor herein.

Parcel 2 – Public Service and Pedestrian Easement

A parcel of land located in a portion of the Grant Deed described in Book 90-03-19, Page 0896 Official Records of Sacramento County, also being a portion of Lot 5 and Lot 6 of the J.H. Kerr Tract filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

Commencing at the intersection of the centerline of Elk Grove Boulevard and the centerline of Second Street as shown on that certain record of survey filed in Book _____ of Surveys, Page _____ Sacramento County Records; thence along the centerline of Elk Grove Boulevard North $89^{\circ} 27' 24''$ East 261.79 feet to the intersection with a line extending from the southwesterly corner of said Lot 6 that is perpendicular to said centerline; thence coincident with said line North $00^{\circ} 32' 36''$ West 25.00 feet to the POINT OF BEGINNING for the herein described parcel; thence from said Point of Beginning coincident with said line North $00^{\circ} 32' 36''$ West 9.25 feet to a point to be hereinafter referred to as POINT "A"; thence leaving said line North $89^{\circ} 27' 24''$ East 60.00 feet to the easterly line of said Lot 6; thence coincident with said easterly line North $00^{\circ} 32' 36''$ West 3.50 feet; thence leaving said easterly line North $89^{\circ} 27' 24''$ East 60.00 feet to the easterly line of said Grant Deed; thence coincident with said easterly line South $00^{\circ} 32' 36''$ East 12.75 feet; thence leaving said easterly line along a line that is parallel to and 25 feet northerly of said centerline South $89^{\circ} 27' 24''$ West 120.00 feet to the Point of Beginning.

Parcel 3 – Temporary Construction Easement

A parcel of land located in a portion of the Grant Deed described in Book 90-03-19, Page 0896 Official Records of Sacramento County, also being a portion of Lot 6 of the J.H. Kerr Tract filed in Book 1 of Maps, Page 30 Sacramento County Records; in the City of Elk Grove; County of Sacramento, State of California, more particularly described as follows:

Beginning at a point hereinbefore referred to as POINT "A"; thence from said POINT OF BEGINNING coincident with the westerly line of said Lot 6 North 00° 32' 36" West 13.75 feet; thence leaving said westerly line North 89° 27' 24" East 60.00 feet to the easterly line of said Lot 6; thence coincident with said easterly line South 00° 32' 36" East 13.75 feet; thence leaving said easterly line South 89° 27' 24" West 60.00 feet to the Point of Beginning.

Exhibit B is attached herewith and made a part hereof.

It is presumed that ownership of the underlying parcel extends to the centerline of Elk Grove Boulevard, and that the sidelines of said underlying parcel are perpendicular to the centerline of Elk Grove Boulevard.

Basis of Bearings

The Basis of Bearings for the herein described land is the centerline of Elk Grove Boulevard, which bears North 89° 27' 24" East as shown on that certain Record of Survey filed in Book _____, of Surveys Page _____ Sacramento County Records.

End of Description

Gary T. Leonard, PLS 5303
Carter & Burgess, Inc
License Expires 12-31-05
Date: 7-20-04



Gary Leonard

Schauer Family Trust
APN 125-0210-019-020

Parcel-1 – Description for Public Right of Way Easement

A public right of way easement, on, over, and under Property legally described in Parcel 1 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of public use, construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public-right-of-ways, highways, roadways, pedestrian walkways, parking, services, landscaping, utilities, waterlines, and necessary appurtenant structures. This Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel-2 – Description for Public Service and Pedestrian Easement

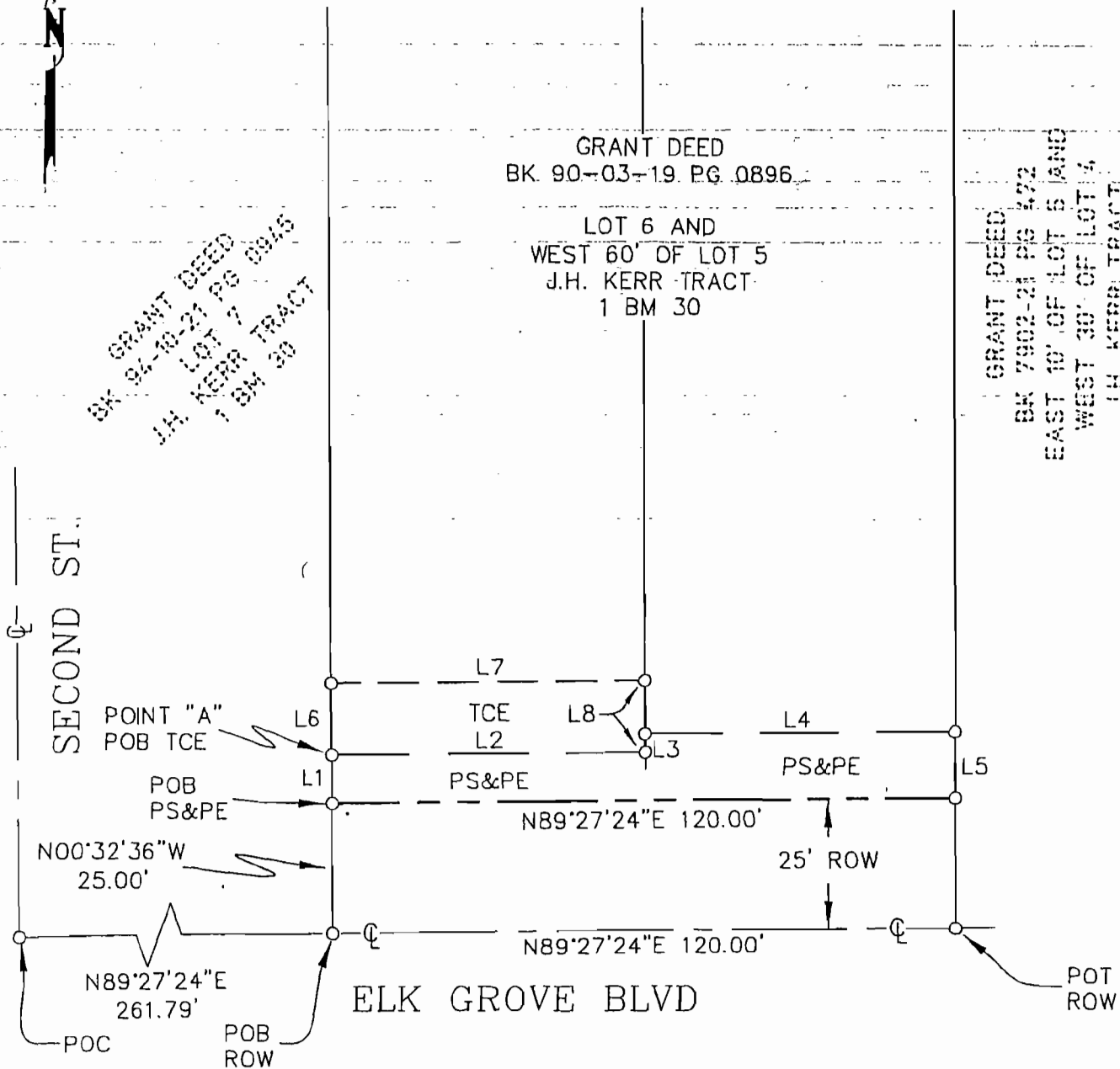
A Public Service and Pedestrian Easement, on, over, and under Property, legally described as Parcel 2 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of the construction, installation, improvement and maintenance of pedestrian walkways, together with any appurtenances pertaining thereto, and the installation and maintenance of landscaping, including but not limited to, trees, plants, planters, irrigation pipelines, drainage pipes, and their appurtenances. The Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel- 3 – Description for Temporary Construction Easement

A Temporary Construction Easement, on, over, and under Property, legally described in Parcel 3 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of construction related to the Project. This easement shall terminate upon completion of the construction of the Project or February 28, 2007, whichever is earlier. This Easement is in gross and is non-exclusive. The property owner reserves the right to use land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant

EXHIBIT B

SCALE: 1"=30'



LEGEND

POC POINT OF COMMENCEMENT
 POB POINT OF BEGINNING
 POT POINT OF TERMINATION
 ROW RIGHT OF WAY
 PS&PE PUBLIC SERVICE & PEDESTRIAN EASEMENT
 TCE TEMPORARY CONSTRUCTION EASEMENT
 ☉ CENTERLINE

L1 N00°32'36"W 9.25'
 L2 N89°27'24"E 60.00'
 L3 N00°32'36"W 3.50'
 L4 N89°27'24"E 60.00'
 L5 S00°32'36"E 12.75'
 L6 N00°32'36"W 13.75'
 L7 N89°27'24"E 60.00'
 L8 S00°32'36"E 13.75'

DWG : E:\Projects\333148.0\Drawings\S\333148-PLATS AND LEGALS\dwg\NW EXHIBIT PLATS

DRAWN BY: CPR CHECKED BY: GL DATE: 7-20-04 TAB 125-0210-020_-019

Carter Burgess

W. Berke

EXHIBIT A

Parcel 1 – Right of Way Easement

A 25 foot wide strip of land located in a portion of the grant deed described in Book 19970829, Page 1149 Official Records of Sacramento County, also being a portion of Lot 1 and Lot 2 of the G.H. Kerr Tract filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, the northerly sideline of which is described as follows:

Commencing at the intersection of the centerline of Elk Grove Boulevard and the centerline of Walnut Street as shown on that certain record of survey filed in Book 66 of Surveys, Page 26 Sacramento County Records; thence along the centerline of Elk Grove Boulevard North 89° 27' 24" East 358.00 feet to the intersection with the centerline of a 16 foot wide alley, having a half width of 8 feet, as shown on said map of the G.H. Kerr Tract, said intersection being the POINT OF BEGINNING for the herein described strip; thence along said centerline of Elk Grove Boulevard North 89° 27' 24" East 91.75 feet to the intersection with the westerly right of way of the Union Pacific Railroad, said westerly right of way also being the northerly prolongation of the easterly line of said Lot 1, said intersection being the POINT OF TERMINATION for the herein described strip.

The sidelines of said strip shall be shortened or lengthened to begin on the centerline of said 16 foot wide alley and end on the easterly property line of the grantor herein.

Parcel 2 – Public Service and Pedestrian Easement

A 6.5 foot wide strip of land located in a portion of the grant deed described in Book 19970829, Page 1149 Official Records of Sacramento County, also being a portion of Lot 1 and Lot 2 of the G.H. Kerr Tract filed in Book 1 of Maps, Page 30 Sacramento County Records, in the City of Elk Grove, County of Sacramento, State of California, the northerly sideline of which is the southerly sideline of the hereinabove described Right of Way Easement.

The southerly sideline of said strip shall run along the northerly face of the existing building. The sidelines of said strip shall be shortened or lengthened to begin on the centerline of a 16 foot wide alley, having a half width of 8 feet, as shown on said map of the G.H. Kerr Tract, and end on the easterly property line of the grantor herein.

Exhibit B is attached herewith and made a part hereof.

It is presumed that ownership of the underlying parcel extends to the centerline of Elk Grove Boulevard and the centerline of the adjacent alley

Basis of Bearings

The Basis of Bearings for the herein described land is the centerline of Elk Grove Boulevard, which bears North 89° 27' 24" East as shown on that certain Record of Survey filed in Book 66 of Surveys, Page 26 Sacramento County Records.

End of Description

Gary T. Leonard, PLS 5303
Carter & Burgess, Inc
License Expires 12-31-05
Date: 7-20-04



Gary Leonard

Berke

EXHIBIT A

Legal Description

A parcel of land located in a portion of Grant Deed document number 199708291149 Sacramento County Records, also being a portion of Lot 1 and Lot 2 of the G.H. Kerr Tract filed in Book 1 of Maps, Page 30 Sacramento County Records, located in the City of Elk Grove, County of Sacramento, State of California and more particularly described as follows:

Commencing at the north quarter corner of Section 6, Township 6 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book _____ of Surveys, Page _____, Sacramento County Records; thence along the northerly line of said Section 6, said line also being the centerline of Elk Grove Boulevard, South $89^{\circ} 27' 24''$ West 735.92 feet to the intersection with the centerline of a 16 foot wide alley as shown on said record of survey; thence from said Point of Beginning and leaving said section line coincident with said alley centerline South $00^{\circ} 18' 43''$ East 144.00 to the POINT OF BEGINNING for the herein described parcel; thence leaving said alley centerline North $89^{\circ} 27' 24''$ East 133.99 feet to the easterly line of said Lot 1, said easterly line also being the westerly right of way of the Union Pacific Railroad; thence coincident with said easterly line South $16^{\circ} 40' 41''$ East 61.37 feet to the centerline of a 20 foot wide alley as shown on said map of the G.H. Kerr Tract; thence leaving said easterly line coincident with said alley centerline South $89^{\circ} 25' 08''$ West 151.28 feet to the intersection with the centerline of said 16 foot wide alley; thence leaving said 20 foot wide alley centerline coincident with the centerline of said 16 foot wide alley North $00^{\circ} 18' 43''$ West 59.05 feet to the Point of Beginning.

Containing 8,416 square feet, more or less.

Exhibit B attached herewith and made a part hereof.

Basis of Bearings

The Basis of Bearings for the herein described parcel is the centerline of Elk Grove Boulevard which bears North $89^{\circ} 27' 24''$ East as shown on that certain Record of Survey recorded in Book _____, of Surveys Page _____, Sacramento County Records.

End of Description

Gary T. Leonard, PLS 5303
Carter & Burgess, Inc
License Expires 12-31-05
Dated 7-08-04



APN: 125-0222-006

Gary Leonard

EXHIBIT B

SCALE. 1" = 30'

POC

S 89°27'24"W 735.92'

ELK GROVE BLVD

CENTERLINE
UNION PACIFIC
MAIN TRACKS

8'
16' ALLEY

GRANT DEED DOC. NO
199708291149

LOT 2
G.H. KERR TRACT
1 BM 30

LOT 1
G.H. KERR TRACT
1 BM 30

ALLEY

S 00°18'43" E 144.00'

N 00°18'43" W 59.05'

N 89°27'24" E 133.99'

8,416 SQ. FT. ±

20' ALLEY

S 19°40'41" E 615.17'

S 89°25'08" W 151.28'

LOT 13
G.H. KERR TRACT
1 BM 30

LOT 14
G.H. KERR TRACT
1 BM 30

LEGEND



NORTH 1/4 CORNER SEC. 6, T 6 N,
R 6 E, MT. DIABLO B&M

JC

POINT OF COMMENCEMENT

POB

POINT OF BEGINNING

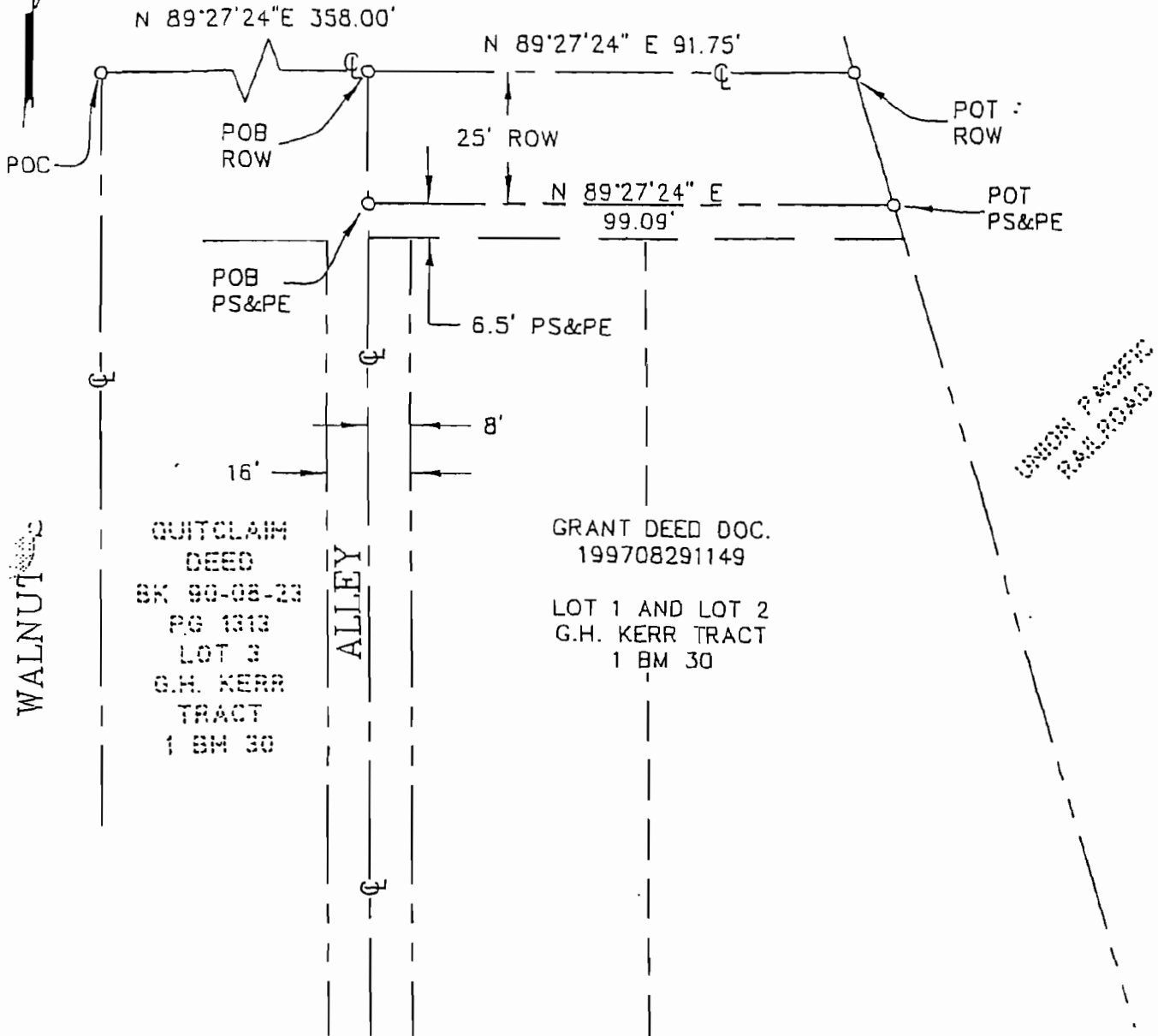
CL

CENTERLINE

EXHIBIT B

SCALE: 1" = 30'

ELK GROVE BLVD



LEGEND

- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- POT POINT OF TERMINATION
- ROW RIGHT OF WAY
- PS&PE PUBLIC SERVICE & PEDESTRIAN EASEMENT
- TC TEMPORARY CONSTRUCTION EASEMENT
- CL CENTERLINE

EXHIBIT A

Access Easement Legal Description

A parcel of land located in a portion of Grant Deed document number 199708291149 Sacramento County Records, also being a portion of Lot 1 and Lot 2 of the G.H. Kerr Tract filed in Book 1 of Maps, Page 30 Sacramento County Records, located in the City of Elk Grove, County of Sacramento, State of California and more particularly described as follows:

Commencing at the north quarter corner of Section 6, Township 6 North, Range 6 East, Mount Diablo Base and Meridian as shown on that certain record of survey filed in Book _____ of Surveys, Page _____, Sacramento County Records; thence along the northerly line of said Section 6, said line also being the centerline of Elk Grove Boulevard, South 89° 27' 24" West 735.92 feet to the intersection with the centerline of a 16 foot wide alley as shown on said record of survey; thence leaving said section line coincident with said alley centerline South 00° 18' 43" East 25.00 feet to the POINT OF BEGINNING for the herein described parcel; thence from said Point of Beginning and leaving said alley centerline North 89° 27' 24" East 8.00 feet; thence South 00° 18' 43" East 107.00 feet; thence North 89° 27' 24" East 93.71 feet; thence North 00° 32' 36" West 99.41 feet more or less to the intersection with the westerly right of way of the Union Pacific Railroad; thence coincident with said westerly right of way South 16° 40' 41" East 43.18 feet; thence leaving said westerly right of way South 00° 32' 36" East 57.93 feet; thence North 89° 27' 24" East 16.24 feet; thence South 16° 40' 41" East 12.49 feet; thence South 89° 27' 24" West 133.47 feet to the intersection with the centerline of said alley; thence coincident with the centerline of said alley North 00° 18' 43" West 119.00 feet to the Point of Beginning.

Containing 3,381 square feet, more or less.

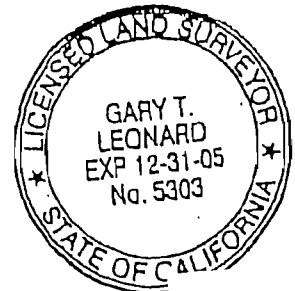
Exhibit B attached herewith and made a part hereof.

Basis of Bearings

The Basis of Bearings for the herein described parcel is the centerline of Elk Grove Boulevard which bears North 89° 27' 24" East as shown on that certain Record of Survey recorded in Book ____, of Surveys Page ____, Sacramento County Records.

End of Description

Gary T. Leonard, PLS 5303
Carter & Burgess, Inc
License Expires 12-31-05
Date: 7-9-04



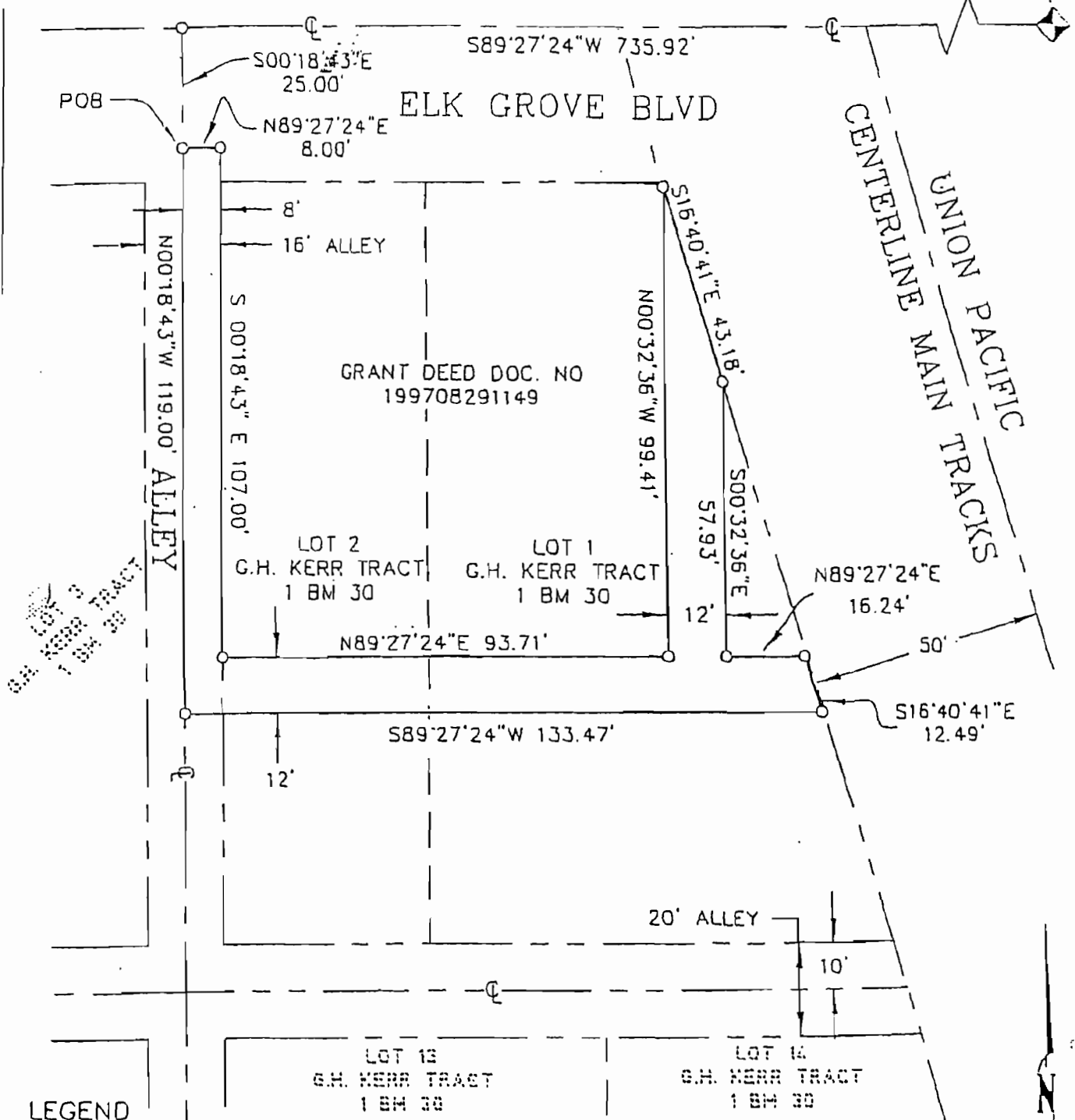
APN: 125-0222-006

Gary Leonard

EXHIBIT B

SCALE: 1" = 30'

POC



LEGEND

NORTH 1/4 CORNER SEC. 6, T 6 N,
 R 6 E, MT. DIABLO B&M
 POINT OF COMMENCEMENT
 POINT OF BEGINNING
 CENTERLINE

Wendell Berke

APN 125-0222-006

Parcel-1 – Description for Public Right of Way Easement

A public right of way easement, on, over, and under Property legally described in Parcel 1 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of public use, construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public-right-of-ways, highways, roadways, pedestrian walkways, parking, services, landscaping, utilities, waterlines, and necessary appurtenant structures. This Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel-2 – Description for Public Service and Pedestrian Easement

A Public Service and Pedestrian Easement, on, over, and under Property, legally described as Parcel 2 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of the construction, installation, improvement and maintenance of pedestrian walkways, together with any appurtenances pertaining thereto, and the installation and maintenance of landscaping, including but not limited to, trees, plants, planters, irrigation pipelines, drainage pipes, and their appurtenances. The Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

Parcel-3 – Description for Temporary Construction Easement

A Temporary Construction Easement, on, over, and under Property, legally described in Parcel 3 of Exhibit A and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of construction related to the Project. This easement shall terminate upon completion of the construction of the Project or February 28, 2007, whichever is earlier. This Easement is in gross and is non-exclusive. The property owner reserves the right to use the land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish Grantee's rights under this grant.

Description for Access Easement

An Access Easement on, over, and under Property, legally described in Exhibit A-1 and depicted in Exhibit B, attached hereto and made a part hereof, for the purpose of entering, accessing and maintaining the partial fee taking described in Exhibit A-2, located within a pre-existing alley in the back of (southern) portion of the lot. This Easement is in gross and is non-exclusive. Property owner reserves the right to use the land so long as such use does not unreasonably interfere with the use of the Easement by the City of Elk Grove. Non-use of the easement shall in no way or manner diminish the City of Elk Grove's rights under this grant.

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2005-11**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 5th day of January 2005 by the following vote:

AYES 4: COUNCILMEMBERS: Briggs, Leary, Scherman, Soares

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 1: COUNCILMEMBERS: Cooper



A handwritten signature in black ink, appearing to read "Peggy E. Jackson", written over a horizontal line.

**Peggy E. Jackson, City Clerk
City of Elk Grove, California**