

RESOLUTION NO. 2005-280

**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
NECESSARY TO CONSTRUCT THE GRANT LINE ROAD/STATE ROUTE 99
INTERCHANGE RECONSTRUCTION PROJECT
Lansford Development
Portion of APN 134-0600-035 and 134-0600-036**

WHEREAS, the improvement of the interchange of Grant Line Road and State Route 99 ("Project") holds a high priority in the City of Elk Grove Transportation Capital Improvement Program and acquiring the necessary right-of-way and real property interests is an important step in completing the Project; and

WHEREAS, as a part of the Project, it is necessary to acquire certain real property interests identified as portions of APN 134-0600-035 and APN 134-0600-036 ("Property") for the construction, operation and maintenance of right-of-way and related improvements along East Stockton Boulevard and Grant Line Road; 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 the parcels identified and described and depicted in Exhibits A, A-1, A-2 and B, B-1, B-2 which are attached hereto 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 Council certifying an Environmental Impact Report for the Grant Line Road/State Route 99 Interchange Reconstruction Project on April 7, 2004; 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

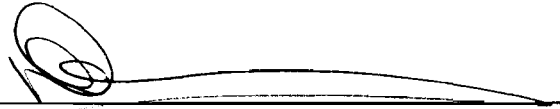
WHEREAS, as a result of the hearing held on September 14, 2005, and in accordance with the provisions of Code of Civil Procedure section 1245.235, the City Council of the City of Elk Grove intends to make certain findings and determinations.

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; and
2. Upon examination of the alternatives, the City of Elk Grove requires the Property for the Project; and
3. The City of Elk Grove is authorized to acquire the Property pursuant to the provisions of Government Code sections 37350.5, 37353, 40401 and 40414 and the provisions of the Eminent Domain Law comprising Title 7, Part 3 of the Code of Civil Procedure (commencing at section 1230.010); and
4. Acquisition of the Property for Project purposes promotes public safety and the general welfare, is authorized by Government Code sections 37350.5, 37353, 40401 and 40414, and is therefore a public use; and
5. The City of Elk Grove hereby finds, determines and declares:
 - a. The public interest and necessity require the proposed Project; and
 - 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; and
 - c. The Property, consisting of a partial Fee Simple Interest identified as Exhibit A and depicted in Exhibit B; a Public Utility Easement described in Exhibit A-1 and depicted in Exhibit B-1; and a Temporary Construction Easement described in Exhibit A-2 and depicted in Exhibit B-2, 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 Exhibits A, A-1,A-2, B, B-1, and B-2; and
 - e. The 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 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 Property is a more necessary public use than the use to which the Property is appropriated.

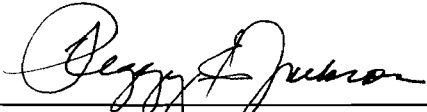
6. The City Attorney is hereby authorized and directed to prepare, commence and prosecute proceedings in eminent domain in the appropriate court to acquire for the City of Elk Grove the Property interests described and depicted in Exhibits A, A-1, A-2, B, B-1, and B-2. The City Attorney is further authorized to take all steps necessary to obtain such orders for immediate possession of the Property interests as may be required for the Project.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 14th day of September 2005.



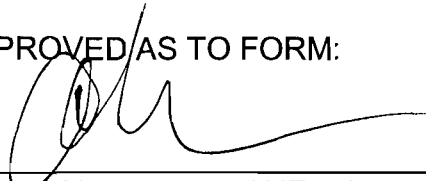
DANIEL BRIGGS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

Exhibit "A" Page 1 of 2

City Parcels 04-15-34-A, -B, -F
In or near APN 134-0600-036

Located in the City of Elk Grove, County of Sacramento, State of California, being a part of Parcel 2 as shown on the Parcel Map filed February 7, 1989, in Book 110 of Parcel Maps at Page 2, Sacramento County Records, and more particularly described as follows:

BEGINNING at the most southerly corner of said Parcel 2, on the centerline of CMD Court as shown on said Parcel Map; thence along the southwesterly boundary of said Parcel 2, along curve to the left having a radius of 106.679 meters, a chord bearing North75°58'07"West 14.225 meters, through a central angle of 7°38'44" an arc length of 14.235 meters to a point of reverse curvature, and thence along a tangent curve to the right having a radius of 106.679 meters, a chord bearing North66°12'18"West 50.121 meters, through a central angle of 27°10'23" an arc length of 50.593 meters, and thence North48°41'31"West a distance of 16.459 meters to the northerly right of way line of said CMD Court, and thence North40°47'36"West a distance of 26.337 meters; thence along a non-tangent curve to the left having a radius of 147.843 meters, a chord bearing South62°43'07"East 87.024 meters, through a central angle of 34°13'58" an arc length of 88.332 meters to a point of reverse curvature on a curve concentric with the curve described above having an arc length of 14.235 meters; thence along said concentric curve, along a tangent curve to the right having a radius of 117.979 meters, a chord bearing South76°08'51"East 15.176 meters, through a central angle of 7°22'31" an arc length of 15.187 meters to the southeasterly boundary of said Parcel 2; thence along last said boundary, South14°34'47"West a distance of 11.317 meters to the **POINT OF BEGINNING**.

Containing an area of 0.07906 hectares (8,510 square feet or 0.1954 acres), more or less.

EXCEPTING THEREFROM that portion of the property lying below a depth of 500 feet measured vertically, from the contour of the surface of said property, without the right for any purpose whatsoever to enter upon, into, or through the surface of said property or any part thereof lying between said surface and 500 feet below said surface, as excepted in Deeds from Southern Pacific Industrial Development Company, and

Exhibit "A" Page 2 of 2

City Parcels 04-15-34-A, -B, -F
In or near APN 134-0600-036

recorded in Book 800825 Page 1165, Official Records of Sacramento County, and in Book 830428 Page 236, Official Records of Sacramento County.

The bearings and distances used in the above description are based upon the California Coordinate System of 1983, Zone 2. Divide the above distances by 0.99999 to obtain ground level distances. To convert meters to U.S. survey feet, multiply the distance by 3937/1200. To convert hectares to acres, multiply hectares by 2.471±.

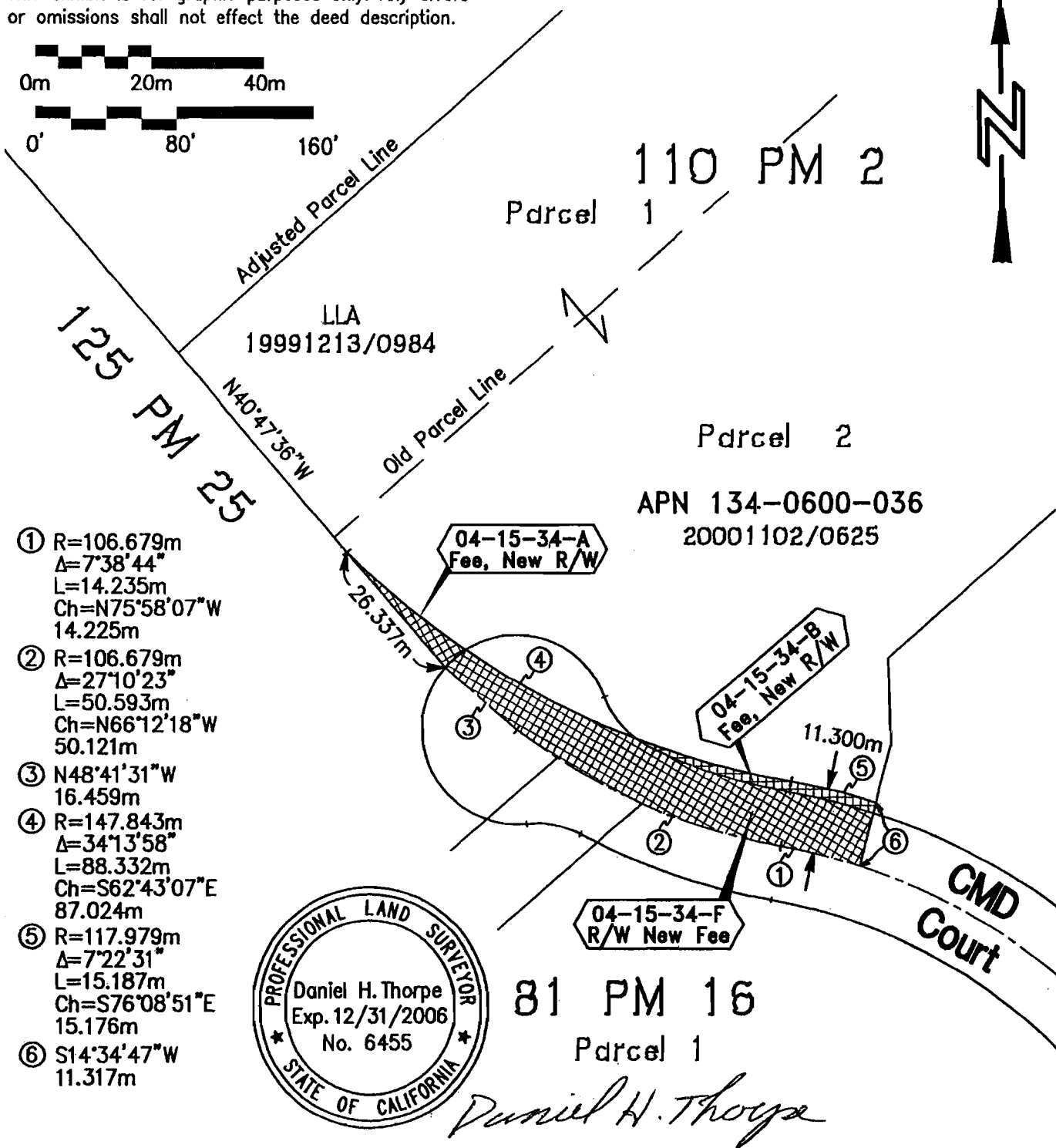
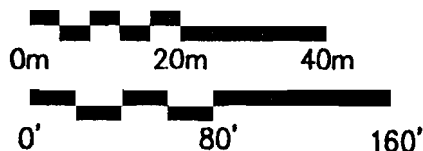
This real property description has been prepared at Mark Thomas & Co. Inc., by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Daniel H. Thorpe
Daniel H. Thorpe
Professional Land Surveyor
California No. 6455

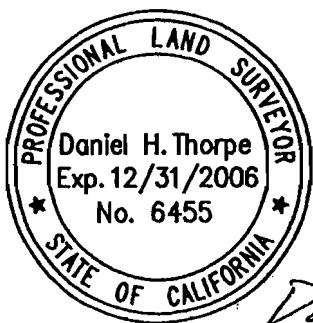


July 7, 2005
Date

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



- ① R=106.679m
Δ=7°38'44"
L=14.235m
Ch=N75°58'07"W
14.225m
- ② R=106.679m
Δ=27°10'23"
L=50.593m
Ch=N66°12'18"W
50.121m
- ③ N48°41'31"W
16.459m
- ④ R=147.843m
Δ=34°13'58"
L=88.332m
Ch=S62°43'07"E
87.024m
- ⑤ R=117.979m
Δ=7°22'31"
L=15.187m
Ch=S76°08'51"E
15.176m
- ⑥ S14°34'47"W
11.317m



Bearings and distances shown are based on the California Coordinate System of 1983, Zone 2, in meters. Divide distances shown by 0.99999 to get ground level distances.



IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
PARCELS 04-15-34-A, -B, -F



Scale 1 : 1000
Date 7-July-2005
By J.G.
Checked By Thorpe

EXHIBIT B Plat to Accompany Legal Description
Fee Takes Totalling 0.07906±hectares
(8,510±sq.ft. or 0.1954±acres) in
APN 134-0600-036, -035

Exhibits A-1 and B-1

Exhibit "A-1" Page 1 of 4

City Parcel 04-15-34-C
In APN 134-0600-036

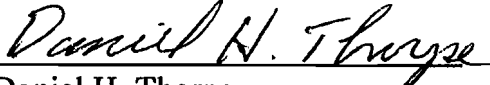
Located in the City of Elk Grove, County of Sacramento, State of California, being a part of Parcels 1 and 2 shown on the Parcel Map filed February 7, 1989, in Book 110 of Parcel Maps at Page 2, Sacramento County Records, and more particularly described as follows:

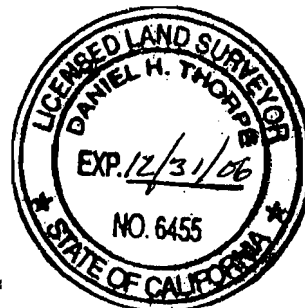
BEGINNING at the most southerly corner of said Parcel 1; thence along the southwesterly boundary of said Parcel 1, North40°47'36"West a distance of 42.179 meters to the westerly corner of Parcel B of the Lot Line Adjustment recorded December 13, 1999, in Document 199912130984, Official Records of Sacramento County; thence South47°23'43"East a distance of 24.262 meters to a point of curvature; thence along a tangent curve to the right having a radius of 153.894 meters, a chord bearing South44°05'40"East 17.723 meters, through a central angle of 6°36'07" an arc length of 17.733 meters to a point of tangency; thence South40°47'36"East a distance of 3.617 meters; thence along a non-tangent curve to the left having a radius of 144.032 meters, a chord bearing South50°22'04"East 23.614 meters, through a central angle of 9°24'15" an arc length of 23.641 meters to the 12.5' Public Utility Easement adjoining CMD court shown on said Parcel Map; thence along last said line, along a non-tangent curve to the left having a radius of 20.269 meters, a chord bearing South58°59'16"West 4.162 meters, through a central angle 11°47'06" an arc length of 4.169 meters; thence along a non-tangent curve to the right having a radius of 147.842 meters, a chord bearing North53°54'35"West 2.593 meters, through a central angle of 1°00'18" an arc length of 2.593 meters to the northeasterly line of the 10' Public Utility Easement shown on said Parcel Map adjoining the southwesterly boundary of said Parcel 2; thence along last said line, North40°47'36"West a distance of 23.286 meters to the northwesterly line of said Parcel 2, thence along last said line, South49°11'49"West a distance of 3.048 meters to the **POINT OF BEGINNING**.

Containing an area of 0.01519 hectares (1,635 square feet or 0.0375 acres), more or less.

The bearings and distances used in the above description are based upon the California Coordinate System of 1983, Zone 2. Divide the above distances by 0.99999 to obtain ground level distances. To convert meters to U.S. survey feet, multiply the distance by 3937/1200. To convert hectares to acres, multiply hectares by 2.471±.

This real property description has been prepared at Mark Thomas & Co. Inc., by me, or under my direction, in conformance with the Professional Land Surveyor's Act.


Daniel H. Thorpe
Professional Land Surveyor
California No. 6455



July 7, 2005
Date

Exhibit "A-1" Page 2 of 4

City Parcel 04-15-34-D
In APN 134-0600-036

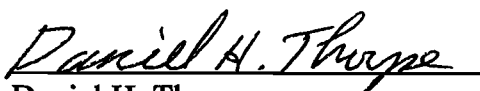
Located in the City of Elk Grove, County of Sacramento, State of California, being a part of Parcel 2 shown on the Parcel Map filed February 7, 1989, in Book 110 of Parcel Maps at Page 2, Sacramento County Records, and more particularly described as follows:

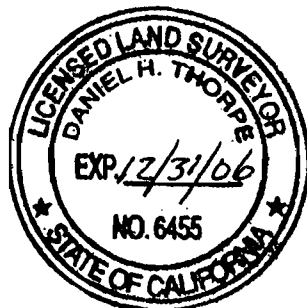
COMMENCING at the most southerly corner of said Parcel 2, on the centerline of CMD Court shown on said Parcel Map; thence along the easterly line of said Parcel 2, North $14^{\circ}34'47''$ East a distance of 13.278 meters to the **POINT OF BEGINNING** on the northerly line of the 12.5' Public Utility Easement adjoining CMD court shown on said Parcel Map; thence along last said line, along a non-tangent curve to the left having a radius of 119.938 meters, a chord bearing North $76^{\circ}08'59''$ West 15.236 meters, through a central angle of $7^{\circ}17'00''$ an arc length of 15.246 meters to a point of reverse curvature, and thence along a tangent curve to the right having a radius of 93.420 meters, a chord bearing North $72^{\circ}31'46''$ West 23.618 meters, through a central angle of $14^{\circ}31'27''$ an arc length of 23.681 meters to a point of compound curvature, and thence along a tangent curve to the right having a radius of 12.954 meters, a chord bearing North $57^{\circ}33'57''$ West 3.472 meters, through a central angle of $15^{\circ}24'09''$ an arc length of 3.482 meters to a point of cusp; thence along a non-tangent curve to the left having a radius of 144.033 meters, a chord bearing South $74^{\circ}31'28''$ East 26.662 meters, through a central angle of $10^{\circ}37'17''$ an arc length of 26.700 meters to a point of reverse curvature on a curve concentric with the curve described above having an arc length of 15.246 meters; thence along said concentric curve, along a tangent curve to the right having a radius of 121.789 meters, a chord bearing South $76^{\circ}11'38''$ East 15.470 meters, through a central angle of $7^{\circ}16'58''$ an arc length of 15.480 meters to the easterly line of said Parcel 2; thence along last said line, South $14^{\circ}34'47''$ West a distance of 1.854 meters to the **POINT OF BEGINNING**.

Containing an area of 0.00646 hectares (695 square feet or 0.0160 acres), more or less.

The bearings and distances used in the above description are based upon the California Coordinate System of 1983, Zone 2. Divide the above distances by 0.99999 to obtain ground level distances. To convert meters to U.S. survey feet, multiply the distance by 3937/1200. To convert hectares to acres, multiply hectares by 2.471±.

This real property description has been prepared at Mark Thomas & Co. Inc., by me, or under my direction, in conformance with the Professional Land Surveyor's Act.


Daniel H. Thorpe
Professional Land Surveyor
California No. 6455



July 7, 2005
Date

Exhibit "A-1" Page 3 of 4

City Parcel 04-15-34-E
In or near APN 134-0600-036

Located in the City of Elk Grove, County of Sacramento, State of California, being a part of Parcel 2 shown on the Parcel Map filed February 7, 1989, in Book 110 of Parcel Maps at Page 2, Sacramento County Records, and more particularly described as follows:

COMMENCING at the westerly corner of said Parcel 2; thence along the southwesterly boundary of said Parcel 2, South40°47'36"East 29.730 meters to the general northerly right of way line of CMD Court shown on said Parcel Map; thence along said right of way line, along a curve to the right having a radius of 16.459 meters, a chord bearing N49°25'30"E 4.648 meters, through a central angle of 16°14'02" an arc length of 4.663 meters to the **POINT OF BEGINNING**, and thence along a tangent curve to the right having a radius of 16.459 meters, a chord bearing South71°31'24"East 25.559 meters, through a central angle of 101°52'10" an arc length of 29.264 meters to a point of reverse curvature, and thence along a tangent curve to the left having a radius of 16.764 meters, a chord bearing South36°23'55"East 9.135 meters, through a central angle of 31°37'13" an arc length of 9.252 meters to a point of cusp; thence along a non-tangent curve to the right having a radius of 147.843 meters, a chord bearing North62°28'57"West 33.445 meters, through a central angle of 12°59'22" an arc length of 33.517 meters to the **POINT OF BEGINNING**.

Containing an area of 0.019273 hectares (2,074 square feet or 0.0476 acres), more or less.

The bearings and distances used in the above description are based upon the California Coordinate System of 1983, Zone 2. Divide the above distances by 0.99999 to obtain ground level distances. To convert meters to U.S. survey feet, multiply the distance by 3937/1200. To convert hectares to acres, multiply hectares by 2.471±.

This real property description has been prepared at Mark Thomas & Co. Inc., by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Daniel H. Thorpe

Daniel H. Thorpe
Professional Land Surveyor
California No. 6455



July 7, 2005
Date

EXHIBIT "A-1"
Public Utility Easement
Page 4 of 4

The purpose of the Public Utility Easement is for construction, re-construction, installation, use, repair, rehabilitation and maintenance of public utilities inclusive of water, gas, sewer, drainage pipes, poles, overhead wires and appurtenances thereto, over, across, and under all that real property situated in the City of Elk Grove, County of Sacramento, State of California.

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

APN 134-0600-035

20001102/0624

125 PM Parcel 25

LLA 19991213/0984

Parcel 1

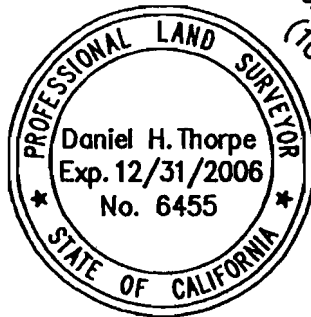
① R=20.269m
 $\Delta=11^{\circ}47'06''$
 L=4.169m
 Ch=S58 $^{\circ}59'16''$ W 4.162m

② R=147.842m
 $\Delta=1^{\circ}00'18''$
 L=2.593m
 Ch=N53 $^{\circ}54'35''$ W 2.593m

③ R=153.894m
 $\Delta=6^{\circ}36'07''$
 L=17.733m
 Ch=S44 $^{\circ}05'40''$ E 17.723m

④ S40 $^{\circ}47'36''$ E 3.617m

⑤ R=144.032m
 $\Delta=9^{\circ}24'15''$
 L=23.641m
 Ch=S50 $^{\circ}22'04''$ E 23.614m



Daniel H. Thorpe

110 PM 2

Parcel 2

APN 134-0600-036
 20001102/0625

3.048m
 S49 $^{\circ}11'49''$ W

P.U.E. 3.048m (10')

23.286m
 N40 $^{\circ}47'36''$ W

CMD COURT

P.U.E. 3.810m (12.5')

Bearings and distances shown are based on the California Coordinate System of 1983, Zone 2, in meters. Divide distances shown by 0.99999 to get ground level distances.



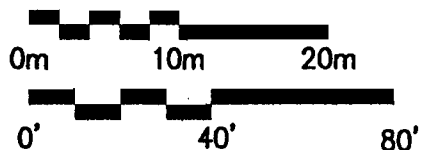
IN THE CITY OF ELK GROVE
 SACRAMENTO COUNTY, CALIFORNIA
 PARCEL 04-15-34-C



Scale 1 : 500
 Date 7-July-2005
 Drawn By J.G.

EXHIBIT B Plat to Accompany Legal Description
 Public Utility Easement of 0.01519±hectares
 (1,635±sq.ft. or 0.0375±acres) in
 APN 134-0600-036

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



APN 134-0600-036
20001102/0625

110 PM 2
Parcel 2

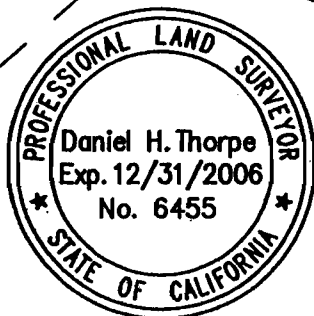
04-15-34-D
New P.U.E.

- ① R=119.938
Δ=7°17'00"
L=15.246m
Ch=N76°08'59"W
15.236m
- ② R=93.420m
Δ=14°31'27"
L=23.681m
Ch=N72°31'46"W
23.618m
- ③ R=12.954m
Δ=15°24'09"
L=3.482m
Ch=N57°33'57"W
3.472m
- ④ R=144.033m
Δ=10°37'17"
L=26.701m
Ch=S74°31'28"E
26.662m
- ⑤ R=121.789m
Δ=7°16'58"
L=15.480m
Ch=S76°11'37"E
15.470m

Parcel 3

CMD
Court

81 PM 16
Parcel 1



Daniel H. Thorpe

Bearings and distances shown are based on the California Coordinate System of 1983, Zone 2, in meters. Divide distances shown by 0.99999 to get ground level distances.



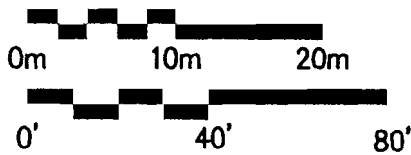
IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
PARCEL 04-15-34-D



Scale 1 : 500
Date 7-Jul-2005
Drawn By Olsen
Checked By Thorpe

EXHIBIT B Plat to Accompany Legal Description
Public Utility Easement of 0.00646±hectares
(695±sq.ft. or 0.0160±acres) in
APN 134-0600-036

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



L=4.663m
 ① R=16.459m
 $\Delta = 16^{\circ}14'02''$
 Ch=N49°25'30"E
 4.648m

L=33.517m
 ② R=147.843m
 $\Delta = 12^{\circ}59'22''$
 Ch=N62°28'57"W
 33.445m

R=16.459m
 L=29.264m
 $\Delta = 101^{\circ}52'10''$
 Ch=S71°31'24"E
 25.559m

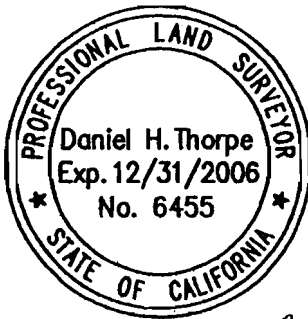
L=9.252m
 R=16.764m
 $\Delta = 31^{\circ}37'13''$
 Ch=S36°23'55"E
 9.135m

APN 134-0600-036
 20001102/0625

110 PM 2
 Parcel 2

CMD
 Court

81 PM 16
 Parcel 1



Daniel H. Thorpe

Bearings and distances shown are based on the California Coordinate System of 1983, Zone 2, in meters. Divide distances shown by 0.99999 to get ground level distances.



IN THE CITY OF ELK GROVE
 SACRAMENTO COUNTY, CALIFORNIA
 PARCEL 04-15-34-E



Scale 1 : 500
 Date 7-Jul-2005
 n By Olsen
 kked By Thorpe

EXHIBIT B Plat to Accompany Legal Description
 Excess R/W (P.U.E. Retained) of 0.01927±hectares
 (2,074±sq.ft. or 0.0476±acres) in
 APN 134-0600-036

Exhibit A-2 and B-2

Exhibit "A-2" Page 1 of 3

City Parcel 04-15-34-G
In APN 134-0600-036

Located in the City of Elk Grove, County of Sacramento, State of California, being a part of Parcels 1 and 2 as shown on the parcel map filed February 7, 1989, in Book 110 of Parcel Maps at Page 2, Sacramento County Records, and more particularly described as follows:

COMMENCING at the most southerly corner of said Parcel 2, on the centerline of CMD Court as shown on said parcel map; thence along the easterly line of said Parcel 2, North $14^{\circ}34'47''$ East a distance of 11.317 meters to the **POINT OF BEGINNING**; thence along a non-tangent curve to the left having a radius of 117.979 meters, a chord bearing North $76^{\circ}08'51''$ West 15.176 meters, through a central angle of $7^{\circ}22'31''$ an arc length of 15.187 meters to a point of reverse curvature; thence along a tangent curve to the right having a radius of 147.843 meters, a chord bearing North $74^{\circ}24'22''$ West 27.976 meters, through a central angle of $10^{\circ}51'29''$ an arc length of 28.018 meters to the northerly right of way line of CMD Court as shown on said parcel map; thence along said right of way line, along a non-tangent curve to the right having a radius of 16.764 meters, a chord bearing North $36^{\circ}23'55''$ West 9.135 meters, through a central angle of $31^{\circ}37'13''$ an arc length of 9.252 meters to a point of reverse curvature, and thence along a tangent curve to the left having a radius of 16.459 meters, a chord bearing North $71^{\circ}31'24''$ West 25.559 meters, through a central angle of $101^{\circ}52'10''$ an arc length of 29.264 meters; thence along a non-tangent curve to the right having a radius of 147.843 meters, a chord bearing North $50^{\circ}47'42''$ West 26.761 meters, through a central angle of $10^{\circ}23'07''$ an arc length of 26.798 meters to the southwesterly boundary of said Parcel 2; thence along the southwesterly boundary of said Parcels 2 and 1, North $40^{\circ}47'36''$ West a distance of 45.573 meters to the westerly corner of Parcel B of the Lot Line Adjustment recorded December 13, 1999 in Document 199912130984, Official Records of Sacramento County; thence South $47^{\circ}23'43''$ East a distance of 24.262 meters to a point of curvature; thence along a tangent curve to the right having a radius of 153.894 meters, a chord bearing South $44^{\circ}05'40''$ East 17.723 meters, through a central angle of $6^{\circ}36'07''$ an arc length of 17.733 meters to a point of tangency; thence South $40^{\circ}47'36''$ East a distance of 3.617 meters; thence along a non-tangent curve to the left having a radius of 144.033 meters, a chord bearing South $50^{\circ}22'04''$ East 23.614 meters, through a central angle of $9^{\circ}24'15''$ an arc length of 23.641 meters to the northerly line of the 12.5 feet wide Public Utility Easement shown on said parcel map; thence along last said line, along a curve to the right having a radius of 20.269 meters, a chord bearing South $67^{\circ}51'15''$ East 29.776 meters, through a central angle of $94^{\circ}31'52''$ an arc length of 33.441 meters to a point of reverse curvature, and thence along a tangent curve to the left having a radius of 12.954 meters, a chord bearing South $35^{\circ}13'36''$ East 6.547 meters, through a central angle of $29^{\circ}16'34''$ an arc length of 6.619 meters; thence along a non-tangent curve to the left having a radius of 144.033 meters, a chord bearing South $74^{\circ}31'28''$ East 26.662 meters, through a central angle of $10^{\circ}37'17''$ an arc length of 26.700 meters to a point of reverse curvature; thence along a tangent curve to the right having a radius of 121.789 meters, a chord bearing South $76^{\circ}11'38''$ East 15.470 meters, through a central

City Parcel 04-15-34-G
In APN 134-0600-036

angle of 7°16'58" an arc length of 15.480 meters to said easterly line of Parcel 2; thence along last said line, South 14°34'47" West a distance of 3.815 meters to the **POINT OF BEGINNING**.

Containing an area of 0.05175 hectares (5,570 square feet or 0.1279 acres), more or less.

The bearings and distances used in the above description are based upon the California Coordinate System of 1983, Zone 2. Divide the above distances by 0.99999 to obtain ground level distances. To convert meters to U.S. survey feet, multiply the distance by 3937/1200. To convert hectares to acres, multiply hectares by 2.471±.

This real property description has been prepared at Mark Thomas & Co. Inc., by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Daniel H. Thorpe

Daniel H. Thorpe
Professional Land Surveyor
California No. 6455

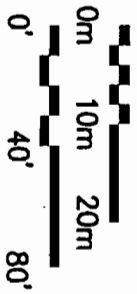


July 7, 2005
Date

Exhibit "A-2" Page 3 of 3

The term of the Temporary Construction Easement is for two years and shall terminate upon the complete of the construction of the Grant Line Road/State Route 99 Interchange Project, or March 1, 2008 whichever occurs earlier.

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



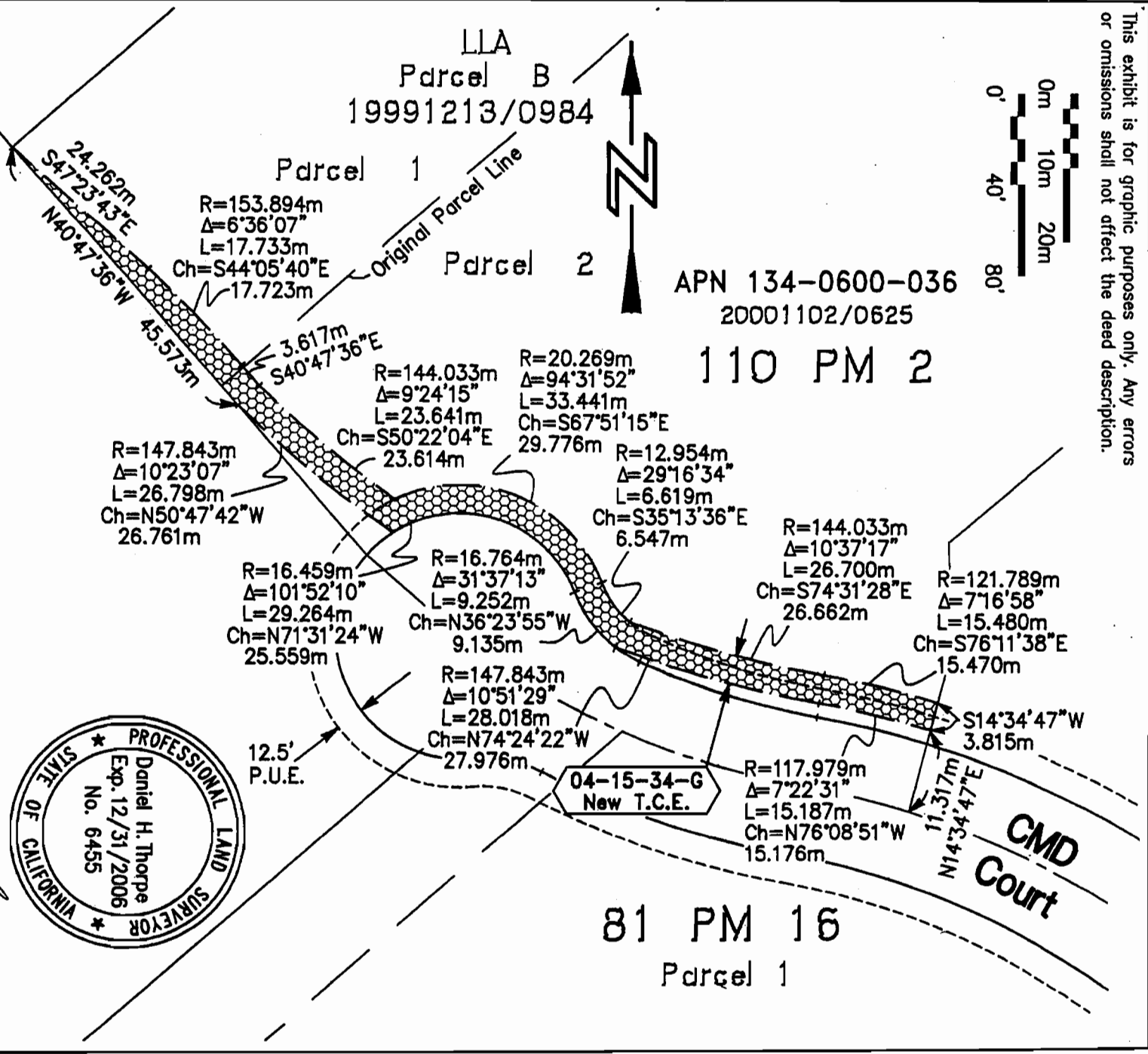
APN 134-0600-036
20001102/0625

110 PM 2

81 PM 16

Parcel 1

LLA
Parcel B
19991213/0984



Bearings and distances shown are based on the California Coordinate System of 1983, Zone 2, in meters. Divide distances shown by 0.999999 to get ground level distances.

Daniel H. Thorpe



IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
PARCEL 04-15-34-G

Scale 1 : 750
Date 7-Jul-2005
Drawn By Stringer
Checked By Thorpe

EXHIBIT B Plat to Accompany Legal Description
Temporary Construction Easement of 0.05175±hectares
(5,570±sq.ft. or 0.1279±acres) in
IN APN 134-0600-036



**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2005-280**

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

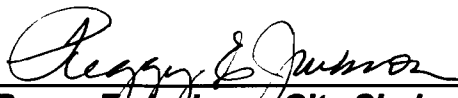
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 14th day of September, 2005 by the following vote:

AYES 5: COUNCILMEMBERS: Scherman, Soares, Briggs, Cooper, Leary

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 0: COUNCILMEMBERS:



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

