

RESOLUTION NO. 2005-282

**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**

**Marvin L. Oates, Trustee of the Marvin L. Oates Trust dated March 7, 1995 and
OBF, a California General Partnership
Portion of APN 134-0220-072**

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 a portion of APN 134-0220-072 ("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 described in 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.



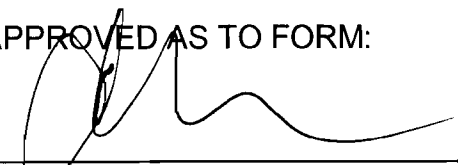
DANIEL BRIGGS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

Exhibit 'A' Page 1 of 3

City Parcel 04-15-10-A
In APN 134-0220-072

Located in the City of Elk Grove, County of Sacramento, State of California, and in Section 18, Township 6 North, Range 6 East, Mount Diablo Meridian, being a portion of New Parcel C described in the Lot Line Adjustment recorded January 7, 2002, in Book 20020107 Page 276, Official Records of Sacramento County and more particularly described as follows:

COMMENCING at the West Quarter-section corner of said Section 18; thence along the east-west centerline of said Section 18, North $89^{\circ}17'25''$ East 811.334 meters to the Center Quarter-section corner of said Section 18; thence North $44^{\circ}44'09''$ West 311.166 meters to the **POINT OF BEGINNING** on the northwesterly boundary line of said New Parcel C; thence South $38^{\circ}47'23''$ East a distance of 32.224 meters; thence South $59^{\circ}27'16''$ West a distance of 43.949 meters; thence South $51^{\circ}12'41''$ West a distance of 30.827 meters; thence South $56^{\circ}33'34''$ West a distance of 16.698 meters to a point of curvature; thence along a tangent curve to the left having a radius of 4.420 meters, a chord bearing South $9^{\circ}14'08''$ West 6.499 meters, through a central angle of $94^{\circ}38'51''$ an arc length of 7.301 meters to a point of tangency; thence South $38^{\circ}05'17''$ East a distance of 3.190 meters; thence South $51^{\circ}54'43''$ West a distance of 3.453 meters; thence along a non-tangent curve to the right having a radius of 161.543 meters, a chord bearing South $19^{\circ}23'56''$ East 103.528 meters, through a central angle of $37^{\circ}22'42''$ an arc length of 105.386 meters; thence South $0^{\circ}42'35''$ East a distance of 22.601 meters to a point of curvature; thence along a tangent curve to the left having a radius of 7.620 meters, a chord bearing South $1^{\circ}51'22''$ East 0.305 meters, through a central angle of $2^{\circ}17'33''$ an arc length of 0.305 meters to the northerly right of way line of Kammerer Road as shown on the Parcel Map filed March 24, 1998, in Book 150 at Page 7, Sacramento County Records; thence along last said line, South $89^{\circ}17'25''$ West a distance of 20.696 meters; thence along a non-tangent curve to the right having a radius of 21.945 meters, a chord bearing North $23^{\circ}03'44''$ East 3.291 meters, through a central angle of $8^{\circ}36'05''$ an arc length of 3.294 meters to a point of reverse curvature; thence along a tangent curve to the left having a radius of 9.144 meters, a chord bearing North $13^{\circ}19'35''$ East 4.435 meters, through a central angle of $28^{\circ}04'21''$ an arc length of 4.480 meters to a point of tangency; thence North $0^{\circ}42'35''$ West a distance of 15.590 meters to a point of curvature on a curve concentric with the curve described above having a length of 105.386 meters; thence along said concentric curve, along a tangent curve to the left having a radius of 143.255 meters, a chord bearing North $20^{\circ}01'29''$ West 94.766 meters, through a central angle of $38^{\circ}37'47''$ an arc length of 96.585 meters; thence South $50^{\circ}39'37''$ West a distance of 3.505 meters; thence along a non-tangent curve to the left having a radius of 5.639 meters, a chord bearing North $84^{\circ}03'55''$ West 7.936 meters, through a central angle of $89^{\circ}27'05''$ an arc length of 8.803 meters; thence North $36^{\circ}18'05''$ West a distance of 3.356 meters; thence South $51^{\circ}12'32''$ West a distance of 12.758 meters; thence North $38^{\circ}47'23''$ West a distance of 19.601 meters to said northwesterly boundary line of New Parcel C; thence along last said line, North $51^{\circ}12'37''$ East a distance of 30.431 meters to the southwesterly corner of New Parcel B , described in said Lot Line Adjustment; and thence

City Parcel 04-15-10-A
In APN 134-0220-072

North $51^{\circ}12'37''$ East a distance of 108.877 meters to the **POINT OF BEGINNING**

Containing an area of 0.60222 hectares (64,822 square feet or 1.4881 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

May 27, 2005
Date



Exhibit 'A' Page 3 of 3

City Parcel 04-15-10-D
In APN 134-0220-072

Located in the City of Elk Grove, County of Sacramento, State of California, and in Section 18, Township 6 North, Range 6 East, Mount Diablo Meridian, being a portion of New Parcel C described in the Lot Line Adjustment recorded January 7, 2002, in Book 20020107 Page 276, Official Records of Sacramento County, and more particularly described as follows:

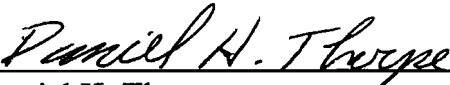
COMMENCING at the West Quarter-section corner of said Section 18; thence along the east-west centerline of said Section 18, North $89^{\circ}17'25''$ East 811.334 meters to the Center Quarter-section corner of said Section 18; thence North $44^{\circ}44'09''$ West 311.166 meters to the **POINT OF BEGINNING** on the northwesterly boundary line of said New Parcel C; thence along said northwesterly boundary line, North $51^{\circ}12'37''$ East a distance of 115.316 meters to the southwesterly right of way line of the frontage road (now known as West Stockton Boulevard) shown on the map filed April 29, 1958, in State Highway Map Book 4 at Page 25, Sacramento County Records; thence along said southwesterly right of way line, along a non-tangent curve to the left having a radius of 252.982 meters, a chord bearing South $44^{\circ}34'36''$ East 51.005 meters, through a central angle of $11^{\circ}34'17''$ an arc length of 51.092 meters to a corner of said Parcel C; thence along the easterly boundary line of said New Parcel C, South $0^{\circ}37'10''$ East a distance of 14.535 meters; thence along a non-tangent curve to the left having a radius of 25.000 meters, a chord bearing North $89^{\circ}02'23''$ West 26.129 meters, through a central angle of $63^{\circ}00'41''$ an arc length of 27.494 meters to a point of tangency; thence South $59^{\circ}27'16''$ West a distance of 92.341 meters; thence North $38^{\circ}47'23''$ West a distance of 32.224 meters to the **POINT OF BEGINNING**.

Containing an area of 0.48986 hectares (52,728 square feet or 1.2105 acres), more or less.

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said freeway.

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±.

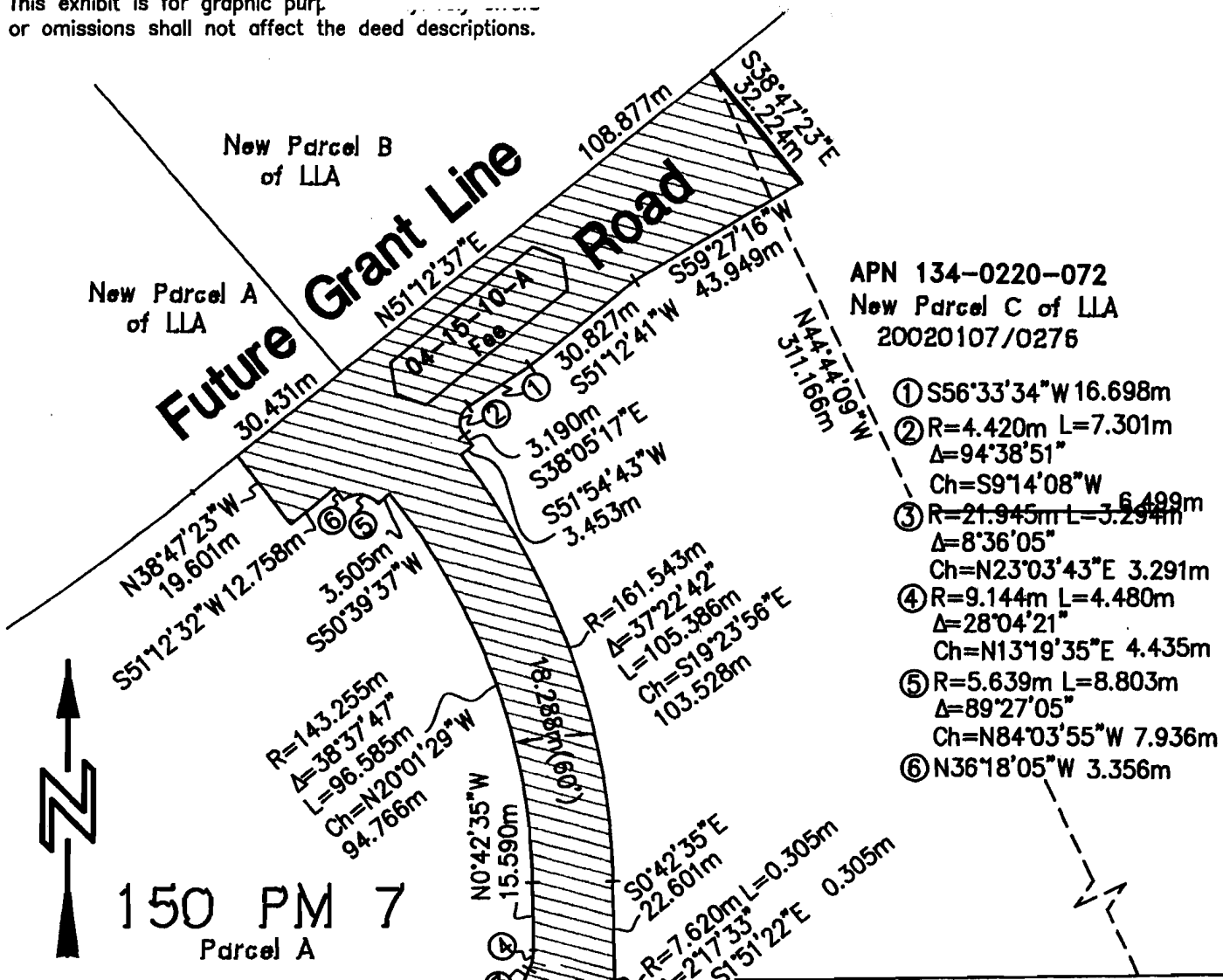
This real property description has been prepared at Mark Thomas & Co. Inc., by me, or under my direction, in conformance with the Professional Land Surveyor's Act.


Daniel H. Thorpe
Professional Land Surveyor
California No. 6455



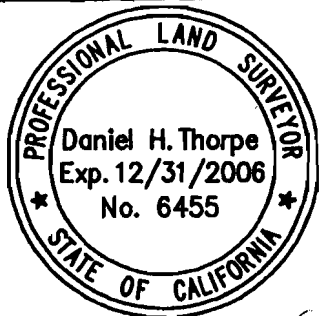
May 24, 2005
Date

This exhibit is for graphic purp.
or omissions shall not affect the deed descriptions.



APN 134-0220-072
New Parcel C of LLA
20020107/0276

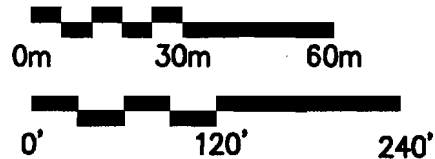
- ① S56°33'34"W 16.698m
- ② R=4.420m L=7.301m
Δ=94°38'51"
Ch=S9°14'08"W 6.499m
- ③ R=21.945m L=3.294m
Δ=8°36'05"
Ch=N23°03'43"E 3.291m
- ④ R=9.144m L=4.480m
Δ=28°04'21"
Ch=N13°19'35"E 4.435m
- ⑤ R=5.639m L=8.803m
Δ=89°27'05"
Ch=N84°03'55"W 7.936m
- ⑥ N36°18'05"W 3.356m



Daniel H. Thorpe

W1/4 Cor. ← Kammerer Road E-W Centerline C1/4 Cor. →
S89°17'25"W N89°17'25"E 811.334m

Section 18
T.6 N., R.6 E.,
M.D.M.



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.

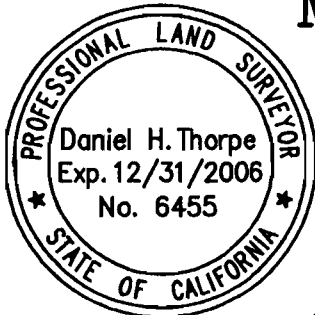
mt Mark Thomas & Company Inc.
Scale 1 : 1500
Date 26-May-2005
Drawn By Stanley
Checked By Thorpe

IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
CITY PARCEL 04-15-10-A
EXHIBIT B Plat to Accompany Legal Description
Fee to City Take of 0.60222±hectares
(64,822±sq.ft. or 1.4881±acres) in
APN 134-0220-072



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

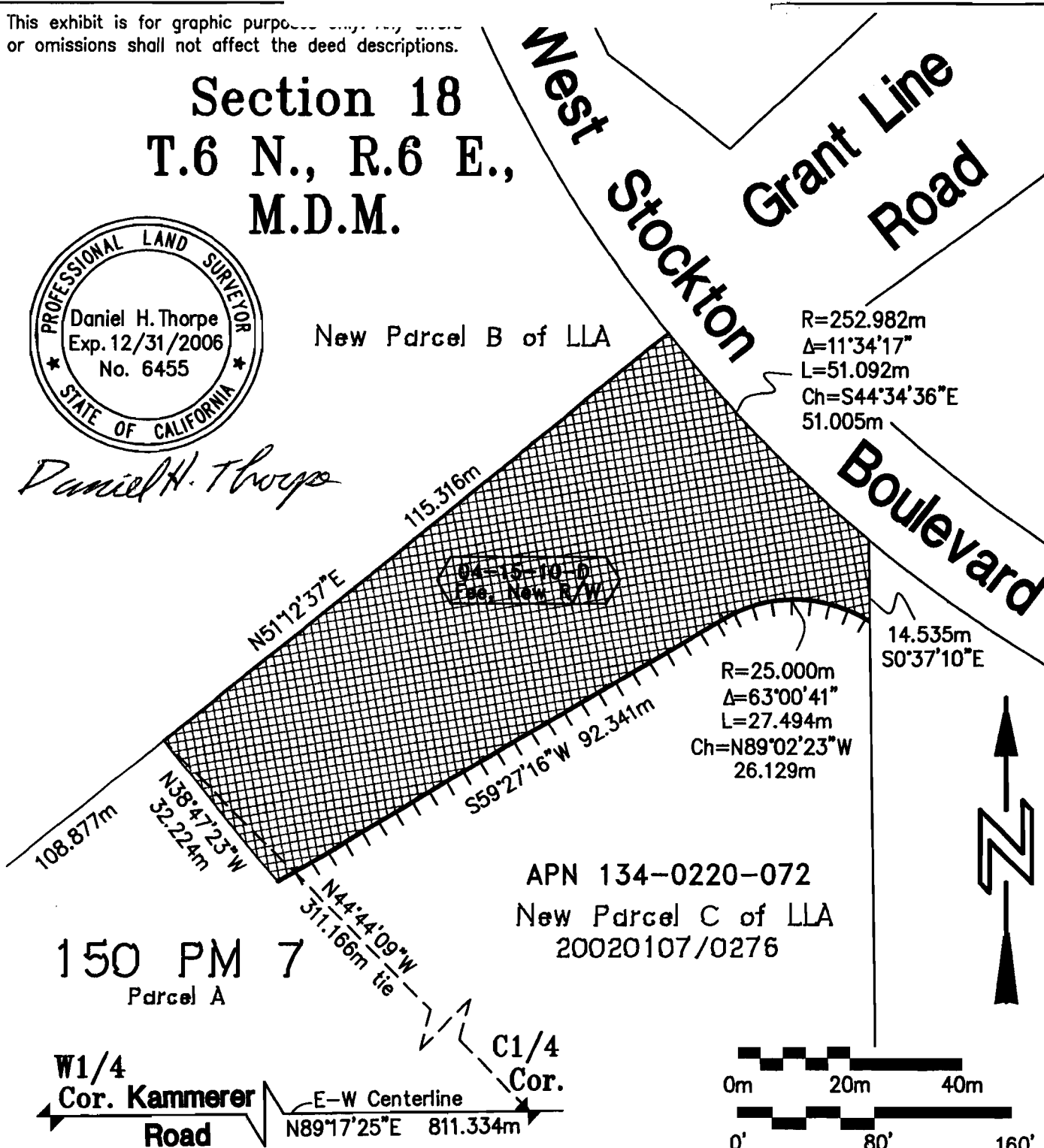
**Section 18
T.6 N., R.6 E.,
M.D.M.**



Daniel H. Thorpe

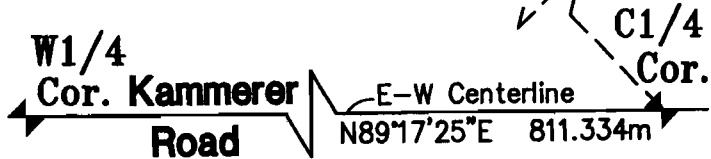
New Parcel B of LLA

R=252.982m
Δ=11°34'17"
L=51.092m
Ch=S44°34'36"E
51.005m



APN 134-0220-072
New Parcel C of LLA
20020107/0276

150 PM 7
Parcel A



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.

Abutter's Rights Including Access Rights Relinquished



IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
CITY PARCEL 04-15-10-D



Scale 1 : 1000
Date 24-May-2005
Drawn By Stanley
Checked By Thorpe

EXHIBIT B Plat to Accompany Legal Description
Fee to State Take of 0.48986±hectares
(52,728±sq.ft. or 0.12105±acres) in
APN 134-0220-072

Exhibit 'A-1' Page 1 of 2

City Parcel 04-15-10-C
In APN 134-0220-072

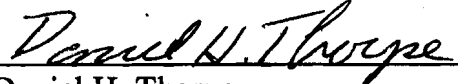
Located in the City of Elk Grove, County of Sacramento, State of California, and in Section 18, Township 6 North, Range 6 East, Mount Diablo Meridian, being a 3.810 meter wide strip of land in New Parcel C described in the Lot Line Adjustment recorded January 7, 2002, in Book 20020107 Page 276, Official Records of Sacramento County and more particularly described as follows:

COMMENCING at the West Quarter-section corner of said Section 18; thence along the east-west centerline of said Section 18, North $89^{\circ}17'25''$ East 811.334 meters to the Center Quarter-section corner of said Section 18; thence North $44^{\circ}44'09''$ West 311.166 meters to the **POINT OF BEGINNING** on the northwesterly boundary line of said New Parcel C; thence South $38^{\circ}47'23''$ East a distance of 32.224 meters to the **POINT OF BEGINNING**; thence North $59^{\circ}27'16''$ East a distance of 92.341 meters to a point of curvature; thence along a tangent curve to the right having a radius of 25.000 meters, a chord bearing South $89^{\circ}02'23''$ East 26.129 meters, through a central angle of $63^{\circ}00'41''$ an arc length of 27.494 meters to the easterly boundary line of said New Parcel C; thence along last said line, South $0^{\circ}37'10''$ East a distance of 4.736 meters; thence along a non-tangent curve to the left having a radius of 21.190 meters, a chord bearing North $85^{\circ}32'09''$ West 24.314 meters, through a central angle of $70^{\circ}01'11''$ an arc length of 25.896 meters to a point of tangency; thence South $59^{\circ}27'16''$ West a distance of 136.016 meters; thence South $51^{\circ}12'41''$ West a distance of 30.731 meters; thence South $56^{\circ}33'34''$ West a distance of 16.875 meters; thence South $9^{\circ}14'08''$ West a distance of 0.897 meters; thence South $38^{\circ}05'17''$ East a distance of 3.190 meters; thence South $51^{\circ}54'43''$ West a distance of 3.810 meters; thence North $38^{\circ}05'17''$ West a distance of 3.190 meters to a point of curvature; thence along a tangent curve to the right having a radius of 4.420 meters, a chord bearing North $9^{\circ}14'08''$ East 6.499 meters, through a central angle of $94^{\circ}38'51''$ an arc length of 7.301 meters; thence North $56^{\circ}33'34''$ East a distance of 16.698 meters; thence North $51^{\circ}12'41''$ East a distance of 30.827 meters; thence North $59^{\circ}27'16''$ East a distance of 43.949 meters to the **POINT OF BEGINNING**.

Containing an area of 0.08296 hectares (8,930 square feet or 0.2050 acres), more or less.

The bearings and distances used in the above descriptions 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



May 27, 2005
Date

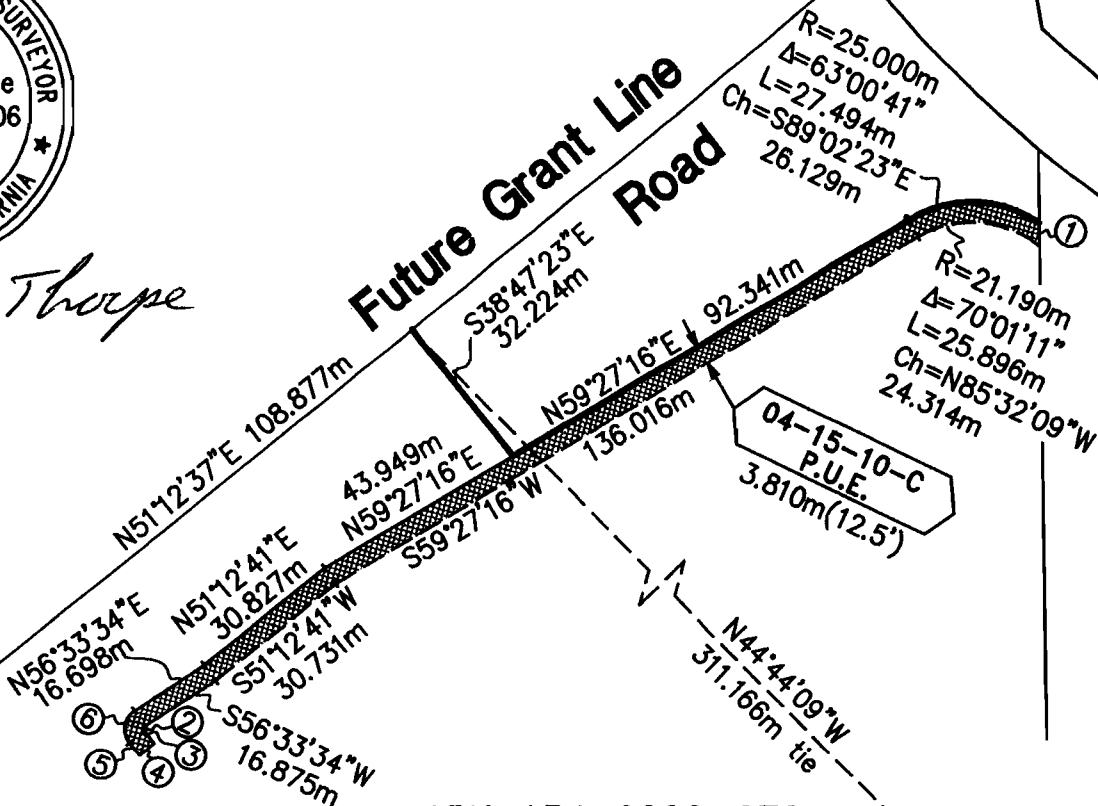
Exhibit 'A-1' Page 2 of 2

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 descriptions.

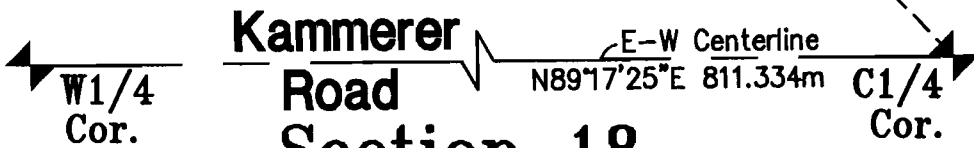


Daniel H. Thorpe

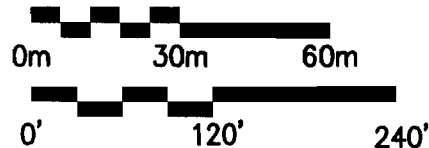


APN 134-0220-072
 New Parcel C of LLA
 20020107/0276

- ① S0°37'10"E 4.736m
- ② S9°14'08"W 0.897m
- ③ S38°05'17"E 3.190m
- ④ S51°54'43"W 3.810m
- ⑤ N38°05'17"W 3.190m
- ⑥ R=4.420m L=7.301m
 $\Delta=94^{\circ}38'51''$
 Ch=N9°14'08"E 6.499m



Section 18
T. 6 N., R. 6 E.,
M.D.M.



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
 CITY PARCEL 04-15-10-C



Scale 1 : 1500
 Date 27-May-2005
 Drawn By Stanley
 Checked By Thorpe

EXHIBIT B Plat to Accompany Legal Description
 Public Utility Easement of 0.08296±hectares
 (8,930±sq.ft. or 0.2050±acres) in
 APN 134-0220-072

Exhibit A-2 and B-2

Exhibit 'A-2' Page 1 of 3

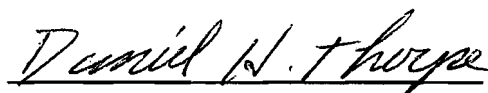
City Parcels 04-15-10-B & F
In APN 134-0220-072

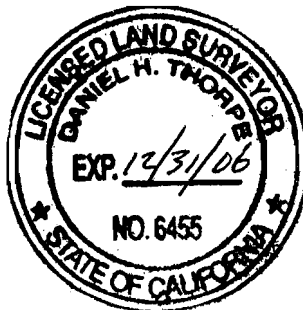
angle of 89°27'05" an arc length of 8.803 meters; thence North50°39'37"East a distance of 3.505 meters to a curve concentric with the curve described above in Parcel 04-15-10-F having a length of 107.872 meters; thence along said concentric curve, along a non-tangent curve to the right having a radius of 143.255 meters, a chord bearing South20°01'29"East 94.766 meters, through a central angle of 38°37'47" an arc length of 96.585 meters to a point of tangency; thence South0°42'35"East a distance of 15.590 meters to a point of curvature; thence along a tangent curve to the right having a radius of 9.144 meters, a chord bearing South13°19'35"West 4.435 meters, through a central angle of 28°04'21" an arc length of 4.480 meters to a point of reverse curvature; thence along a tangent curve to the left having a radius of 21.945 meters, a chord bearing South23°03'44"West 3.291 meters, through a central angle of 8°36'05" an arc length of 3.294 meters to the northerly right of way line of Kammerer Road as shown on the Parcel Map filed March 24, 1998 in Book 150 at Page 7, Sacramento County Records; thence along said northerly right of way line, South89°17'25"West a distance of 4.004 meters; thence along a non-tangent curve to the right having a radius of 25.755 meters, a chord bearing North21°34'36"East 5.193 meters, through a central angle of 11°34'19" an arc length of 5.202 meters to a point of reverse curvature; thence along a tangent curve to the left having a radius of 5.334 meters, a chord bearing North13°19'35"East 2.587 meters, through a central angle of 28°04'21" an arc length of 2.613 meters to a point of tangency; thence North0°42'35"West a distance of 15.590 meters to a point of curvature on a curve concentric with the curve described above in Parcel 04-15-10-F having a length of 107.872 meters; thence along said concentric curve, along a tangent curve to the left having a radius of 139.445 meters, a chord bearing North19°42'42"West 90.806 meters, through a central angle of 38°00'13" an arc length of 92.492 meters; thence South51°17'12"West a distance of 1.524 meters; thence North39°01'35"West a distance of 1.487 meters to a point of curvature; thence along a tangent curve to the left having a radius of 3.810 meters, a chord bearing North83°54'31"West 5.377 meters, through a central angle of 89°45'52" an arc length of 5.969 meters to a point of tangency; thence South51°12'32"West a distance of 12.612 meters; thence North38°47'28"West a distance of 5.182 meters to the **POINT OF BEGINNING**.

Containing an area of 0.05336 hectares (5,744 square feet or 0.1319 acres), more or less.

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These real property descriptions have 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



May 27, 2005
Date

Exhibit 'A-2' Page 2 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.

City Parcel 04-15-10-E
In APN 134-0220-072

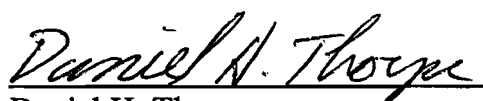
Located in the City of Elk Grove, County of Sacramento, State of California, in Section 18, Township 6 North, Range 6 East, Mount Diablo Meridian, in New Parcel C described in the Lot Line Adjustment recorded January 7, 2002, in Book 20020107 Page 276, Official Records of Sacramento County, and more particularly described as follows:

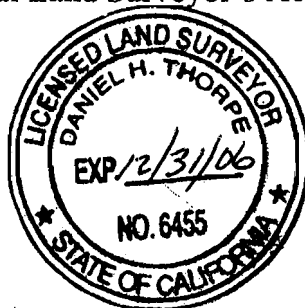
COMMENCING at the West Quarter-section corner of said Section 18; thence along the east-west centerline of said Section 18, North $89^{\circ}17'25''$ East 811.334 meters to the Center Quarter-section corner of said Section 18; thence North $44^{\circ}44'09''$ West 311.166 meters to a point on the northwesterly boundary line of said New Parcel C; thence South $38^{\circ}47'23''$ East a distance of 32.224 meters to the **POINT OF BEGINNING**; thence North $59^{\circ}27'16''$ East a distance of 92.341 meters to a point of curvature; thence along a tangent curve to the right having a radius of 25.000 meters, a chord bearing South $89^{\circ}02'23''$ East 26.129 meters, through a central angle of $63^{\circ}00'41''$ an arc length of 27.494 meters to the easterly boundary line of said New Parcel C; thence along last said line, South $0^{\circ}37'10''$ East a distance of 28.442 meters; thence along a non-tangent curve to the left having a radius of 54.000 meters, a chord bearing South $56^{\circ}52'52''$ West 3.631 meters, through a central angle of $3^{\circ}51'12''$ an arc length of 3.632 meters to a point of tangency; thence South $54^{\circ}57'16''$ West a distance of 71.975 meters to a point of curvature; thence along a tangent curve to the right having a radius of 53.000 meters, a chord bearing North $84^{\circ}38'04''$ West 68.716 meters, through a central angle of $80^{\circ}49'20''$ an arc length of 74.763 meters; thence South $59^{\circ}27'16''$ West a distance of 13.068 meters; thence South $51^{\circ}12'41''$ West a distance of 30.731 meters; thence South $56^{\circ}33'34''$ West a distance of 16.875 meters; thence South $9^{\circ}14'08''$ West a distance of 0.897 meters; thence South $38^{\circ}05'17''$ East a distance of 3.190 meters; thence South $51^{\circ}54'43''$ West a distance of 3.810 meters; thence North $38^{\circ}05'17''$ West a distance of 3.190 meters to a point of curvature; thence along a tangent curve to the right having a radius of 4.420 meters, a chord bearing North $9^{\circ}14'08''$ East 6.499 meters, through a central angle of $94^{\circ}38'51''$ an arc length of 7.301 meters to a point of tangency; thence North $56^{\circ}33'34''$ East a distance of 16.698 meters; thence North $51^{\circ}12'41''$ East a distance of 30.827 meters; thence North $59^{\circ}27'16''$ East a distance of 43.949 meters to the **POINT OF BEGINNING**.

Containing an area of 0.55716 hectares (59,972 square feet or 1.3768 acres), more or less.

The bearings and distances used in the above descriptions 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



June 13, 2005
Date

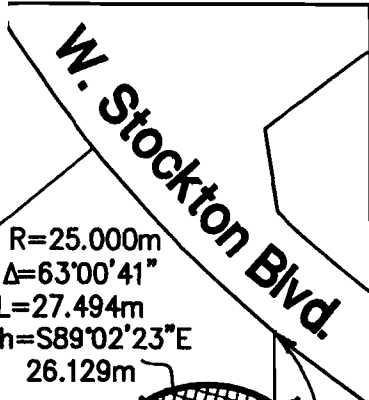
This exhibit is for graphic purposes only. Any errors or omissions shall not effect the deed descriptions.



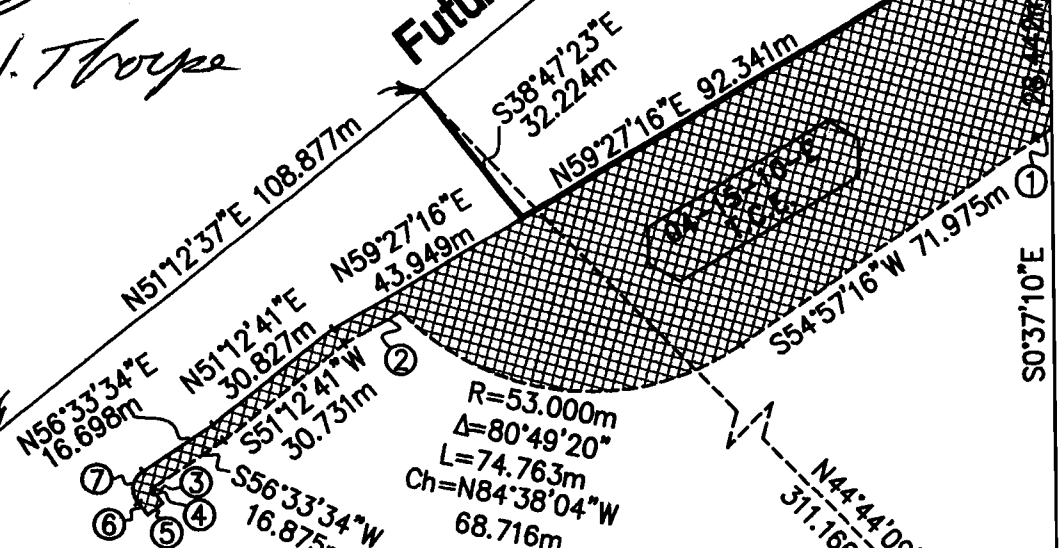
150 PM 7
Parcel A

New Parcel B of LLA

Daniel H. Thorpe

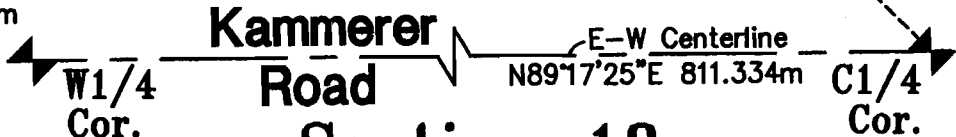


Future Grant Line Road

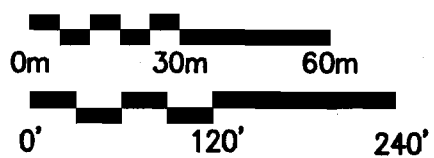


APN 134-0220-072
New Parcel C of LLA
20020107/0276

- Δ=3°51'12"
- ① R=54.000m L=3.632m
Ch=S56°52'52"W 3.631m
- ② S59°27'16"W 13.068m
- ③ S9°14'08"W 0.897m
- ④ S38°05'17"E 3.190m
- ⑤ S51°54'43"W 3.810m
- ⑥ N38°05'17"W 3.190m
- ⑦ R=4.420m L=7.301m
Δ=94°38'51"
Ch=N9°14'08"E 6.499m



Section 18
T. 6 N., R. 6 E.,
M.D.M.



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
CITY PARCEL 04-15-10-E



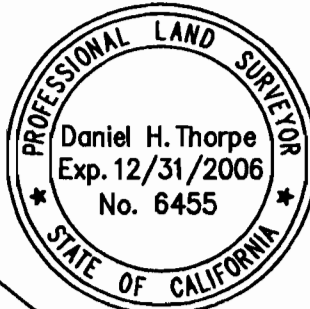
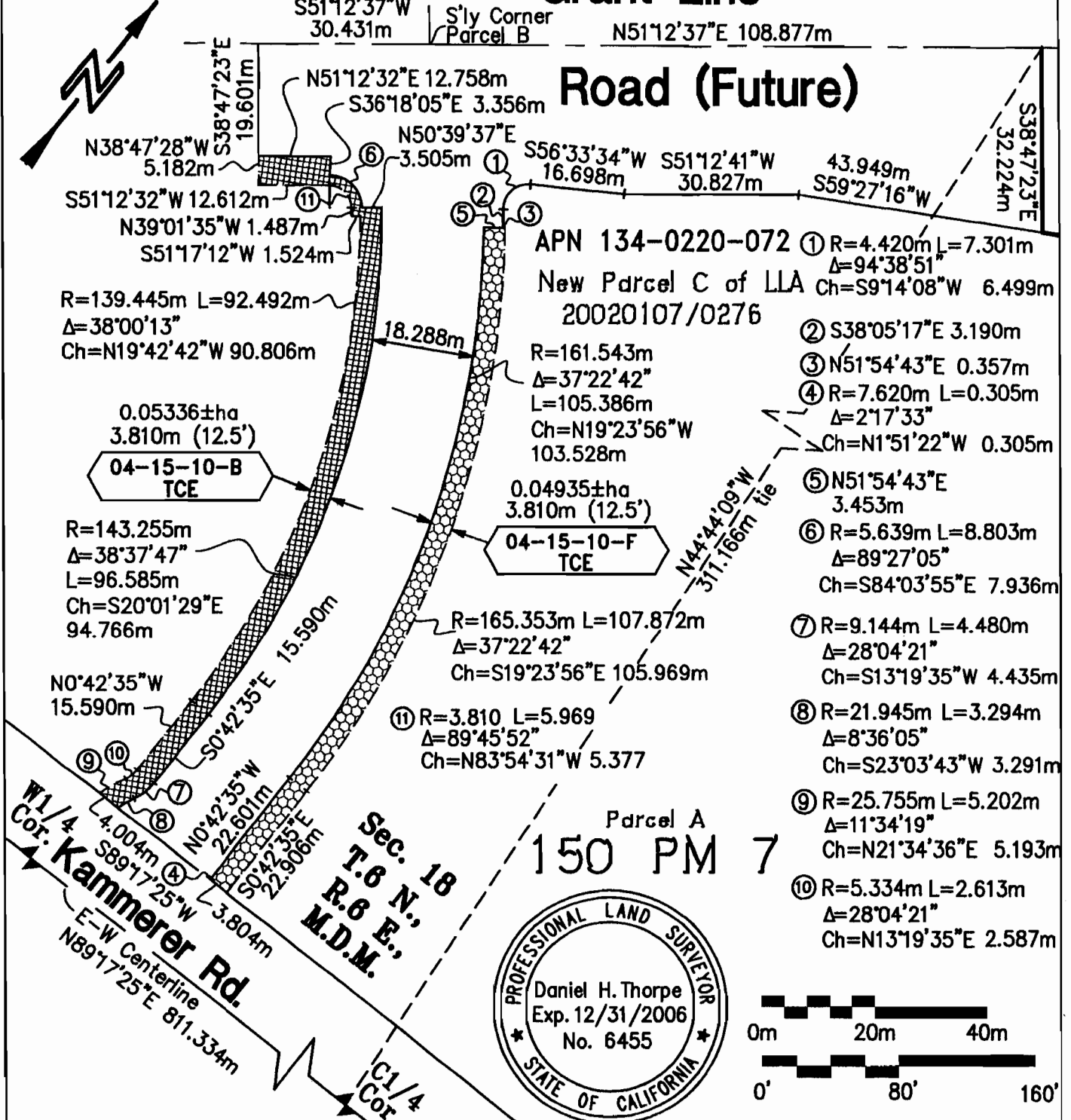
Scale 1 : 1500
Date 13-Jun-2005
Drawn By Olsen
Checked By Thorpe

EXHIBIT B Plat to Accompany Legal Description
Temporary Construction Easement of 0.55716±hectares
(59,972±sq.ft. or 1.3768±acres) in
APN 134-0220-072

This exhibit is for graphic pur
or omissions shall not affect the deed descriptions.


Grant Line

Road (Future)



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.


 Mark
Thomas &
Company
Inc.

 Scale 1 : 1000
Date 27-May-2005
Drawn By Stanley
Checked By Thorpe

IN THE CITY OF ELK GROVE
 SACRAMENTO COUNTY, CALIFORNIA
 CITY PARCELS 04-15-10-B & F

EXHIBIT B Plat to Accompany Legal Description
 Temporary Construction Easement Totalling 0.10271±hectares
 (11,056±sq.ft. or 0.2538±acres) in
APN 134-0220-072



**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2005-282**

**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**

