

RESOLUTION NO. 2006-312

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE FIRST
AMENDMENTS TO THE AGRICULTURAL LEASES DATED OCTOBER 5, 2005
BETWEEN THE CITY OF ELK GROVE AND DELTA BREEZE PARTNERS, LLC FOR
THE VINEYARD PROPERTY IDENTIFIED AS SACRAMENTO COUNTY
APN'S 146-0040-039 AND 146-0040-040**

WHEREAS, the City of Elk Grove owns 743 acres of vineyard land identified as Sacramento County Assessor's Parcel Numbers 146-0040-039 (Parcel 39) and 146-0040-040 (Parcel 40);

WHEREAS, the City of Elk Grove entered into Agricultural Leases on October 5, 2005 with Delta Breeze Partners, LLC on Parcels 39 and 40; said leases expire on October 31, 2006 and October 31, 2007, respectively;

WHEREAS, the City of Elk Grove and Delta Breeze Partners, LLC desire to enter into First Amendments to the Agricultural Leases dated October 5, 2005 on Parcels 39 and 40;

WHEREAS, the proposed lease amendments would require that Delta Breeze Partners, LLC post performance bonds to ensure immediate remediation of Parcel 39 and the remediation of Parcel 40 at the end of its lease term.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City Manager, or designee, to execute first amendments to those agricultural leases dated October 5, 2005 between the City of Elk Grove and Delta Breeze Partners, LLC for the Vineyard Property identified as Sacramento County APN's 146-0040-039 and 146-0040-040.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 13th day of December 2006.



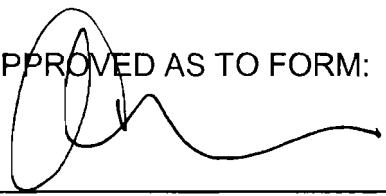
SOPHIA SCHERMAN, MAYOR PRO TEM
of the CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2006-312**

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 December 13, 2006 by the following vote:

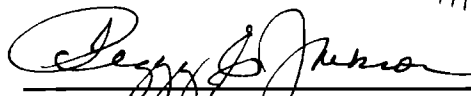
AYES : COUNCILMEMBERS: *Scherman, Cooper, Leary, Davis, Hume*

NOES : COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*





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