

RESOLUTION NO. 2007-205

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE GRANTING SACRAMENTO MUNICIPAL UTILITY DISTRICT (SMUD) AN OVERHEAD ELECTRIC EASEMENT OVER A CITY OWNED DRAINAGE CHANNEL (PW-07-9006)

WHEREAS, the City of Elk Grove was granted a drainage channel from the County of Sacramento in January 2005;

WHEREAS, the channel is in use for carrying of drainage waters as part of the City's drainage system;

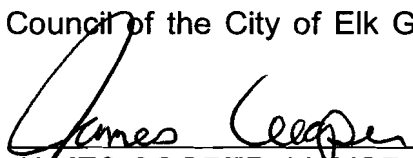
WHEREAS, SMUD is constructing a 69 kilovolt (KV) power line along Laguna Boulevard through the Apple Computer Inc. site thence along an existing SMUD easement parallel with the City's drainage channel and is desirous of obtaining an easement across the City's drainage channel in conjunction with said construction;

WHEREAS, City staff has reviewed the documents for the easement grant and is satisfied that language in the easement document does not interfere with the City's complete and free use of the channel as the easement is for overhead lines only; and

WHEREAS, City staff hereby recommends the City grant the attached easement to SMUD.


NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby grants to Sacramento Municipal Utility District the attached easement as described in "Exhibit A" and shown on the "Plat to accompany the legal description" in "Exhibit B" and directs the Mayor to sign the attached easement document and record it in the office of the County Recorder of the County of Sacramento.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on this 26th Day of September 2007.



JAMES COOPER, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

SMUD0072
No fee for recordation
Govt. Code Sec. 6103
RECORD AT REQUEST OF AND RETURN TO:
Sacramento Municipal Utility District
Attention: Real Estate Services - B 304
P. O. Box 15830
Sacramento, CA 95852-1830

NO COUNTY TRANSFER TAX DUE
CONSIDERATION LESS THAN \$100
PER R & T CODE 11922

SMUD BY: _____

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

A.P.N. Ptn. 119-0120-036

R/W 2007/039-S
SO 30053211

GRANT OF EASEMENT

CITY OF ELK GROVE, a municipal corporation, Grantor, hereby grants to SACRAMENTO MUNICIPAL UTILITY DISTRICT, a municipal utility district, Grantee, their successors and assigns, the right from time to time to suspend, inspect, remove, replace, maintain and use electrical and communication facilities, respectively, consisting of aerial wires and cables, with associated crossarms, braces, transformers, capacitors, switches, within the following described route; HOWEVER, no poles are to be erected hereunder.

TOGETHER WITH a right of way therefore over that certain real property situate in the County of Sacramento, State of California, described herein.

Said right includes the trimming by Grantees of any trees or foliage along said easement whenever considered necessary for the complete enjoyment thereof and the right of ingress to and egress from said easement for the purpose of exercising and performing all rights and privileges granted herein.

The route of said easement is described in EXHIBIT A attached hereto and made a part hereof.

Executed on this _____ day of September, 2007.

City of Elk Grove, a municipal corporation

BY: _____

JAMES COOPER, MAYOR

EXHIBIT A
30053211

The route of said easement shall be within a strip of land 15 feet in width the centerline of which is described as follows: Beginning at a point on the south line of Parcel A, as shown on the Parcel Map entitled "PORTION OF THE SOUTH 1/2 OF SECTION 30 T.7N., R.5E., M.D.M." recorded in the office of the Recorder of Sacramento County on November 26, 1991 in Book 127 of Parcel Maps, at Page 17 located North 89°34'22" East 131.00 feet from the northwest corner of Parcel 3 as shown on said Parcel Map; thence from said point of beginning North 00°25'38" West 84.00 feet to a point on the north line of said Parcel A.



G. William Ward Jr. 5-11-07
G. William Ward Jr., L.S. 5708 DATE

STATE OF CALIFORNIA }
COUNTY OF SACRAMENTO } ss.

Certificate of Acceptance
Attached to R/W 2007/39-S

This is to certify that the SACRAMENTO MUNICIPAL UTILITY DISTRICT, a municipal utility district, hereby accepts for public purposes the interest in real property conveyed by the foregoing deed or grant and consents to the recordation thereof. The undersigned officer is authorized to execute this acceptance and consent pursuant to authority conferred by Resolution No. 89-6-11, adopted by said District's Board of Directors on June 20, 1989.

Dated:

Bruce Alei,
Chief Land Specialist

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**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2007-205**

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 September 26, 2007 by the following vote:

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

NOES: COUNCILMEMBERS: None

ABSTAIN : COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



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

