

NO FEE DOCUMENT
Government Code §27383
RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

Office of the City Clerk
City of Elk Grove
8401 Laguna Palms Way, 1st Floor
Elk Grove, CA 95758

Space above this line for Recorder's Use

RESOLUTION NO. 2009-239

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING ABANDONMENT OF A PORTION OF DRAINAGE EASEMENT OVER
LOT A, FIELDSTONE UNIT NO. 3B**

WHEREAS, the City of Elk Grove was granted a drainage easement from the County of Sacramento over Lot A of Fieldstone Unit No. 3B; and

WHEREAS, the City has determined that the easement for drainage purposes is in excess of what is required for drainage purposes; and

WHEREAS, on November 19, 2009 the Planning Commission found this abandonment to be consistent with the City's General Plan.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby finds:


- 1) That this easement is defined under the Streets and Highway Code, Division 9, Part 3, Chapter 1, Section 8306 (a) as a "Public Service Easement"; and
- 2) That this portion of the easement may be summarily abandoned pursuant to the Streets and Highway Code, Division 9, Part 3, Chapter 4, Article 1, Section 8333 (c) since it has been determined that the easement is in excess of what is required for drainage purposes and there are no facilities within the easement area; and
- 3) The proposed abandonment is exempt from Environmental Review pursuant to the California Environmental Quality Act ("CEQA") under Article 5, Section 15061 (b) (3) because there is no possibility the activity in question may have a significant effect on the environment; and
- 4) That easement being abandoned is the entire easement over Lot A except for the area as described in Exhibit "A" and shown on Exhibit "B".

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED that the drainage easement over Lot A, **except for the area described in Exhibit "A"** and shown on Exhibit "B" **is hereby abandoned** and that from and after the date of the recordation of this resolution the drainage easement no longer exists over Lot A except

for the area as described in Exhibit "A" and shown on Exhibit "B".

NOW, THEREFORE, BE IT FINALLY RESOLVED that the City Clerk of the City of Elk Grove shall cause a certified copy of this Resolution of Abandonment and Exhibits "A" and "B" attached hereto attested by the Clerk under seal, to be recorded 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 9th day of December 2009.



PATRICK HUME, MAYOR of the
CITY OF ELK GROVE

ATTEST:



SUSAN J. BLACKSTON, CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

EXHIBIT "A"
DRAINAGE EASEMENT

*Original Documents
for Recordation
Purposes*

ALL THAT REAL PROPERTY LYING WITHIN THE CITY OF SACRAMENTO, STATE OF CALIFORNIA, MORE PARTICULARLY AS FOLLOWS:

ALL THAT PORTION OF LOT "A" AS DESCRIBED ON THAT MAP ENTITLED, "FIELDSTONE UNIT NO. 3B", RECORDED IN BOOK 292 AT PAGE 5, RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A ¾" IRON PIPE WITH A PLASTIC CAP MARKED "L.S. 5854" IN THE INTERSECTION OF RIDGEROCK DRIVE AND HELENITE COURT AS SHOWN ON SAID SUBDIVISION MAP, THENCE ALONG THE CENTERLINE OF RIDGEROCK DRIVE, SOUTH 89° 53' 55" WEST, 62.27 FEET; THENCE LEAVING SAID CENTERLINE, SOUTH 0° 06' 05" EAST, 21.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT "A" AND ALSO BEING THE SOUTH RIGHT OF WAY OF RIDGEROCK ROAD, SAID POINT BEING THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID NORTH LINE, SOUTH 0° 06' 05" EAST, 250.85 FEET; THENCE SOUTH 39° 36' 10" WEST, 72.92 FEET; THENCE SOUTH 0° 09' 55" WEST, 155.67 FEET; THENCE NORTH 89° 50' 12" WEST, 33.00 FEET; THENCE SOUTH 0° 09' 55" WEST, 48.17 FEET TO THE SOUTH LINE OF SAID LOT "A"; THENCE ALONG SAID SOUTH LINE, SOUTH 89° 50' 12" EAST, 73.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT "A"; THENCE ALONG THE EAST LINE OF SAID LOT "A", NORTH 0° 09' 55" EAST, 163.41 FEET; THENCE NORTH 54° 40' 07" EAST, 32.28 FEET TO A POINT ON THE WEST RIGHT OF WAY OF HELENITE COURT; THENCE CONTINUING ALONG SAID RIGHT OF WAY, ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIAL BEARING TO THE RADIUS POINT OF NORTH 54° 40' 07" EAST, HAVING A RADIUS OF 40.00 FEET, THROUGH A CENTRAL ANGLE OF 82° 35' 07" AND HAVING AN ARC LENGTH OF 57.66 FEET; THENCE ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 55.00 FEET, THROUGH A CENTRAL ANGLE OF 46° 26' 30" AND HAVING AN ARC LENGTH OF 44.58 FEET; THENCE NORTH 0° 06' 04" WEST, 212.59 FEET; THENCE ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 90° 00' 00" AND HAVING A LENGTH OF 31.42 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF RIDGEROCK DRIVE; THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY NORTH 0° 06' 04" WEST, 4.00 FEET; THENCE SOUTH 89° 53' 56" WEST, 22.27 FEET TO THE POINT OF BEGINNING. SAID EASEMENT CONTAINING 23,569 SQ. FT. (0.541 ACRES) MORE OR LESS.



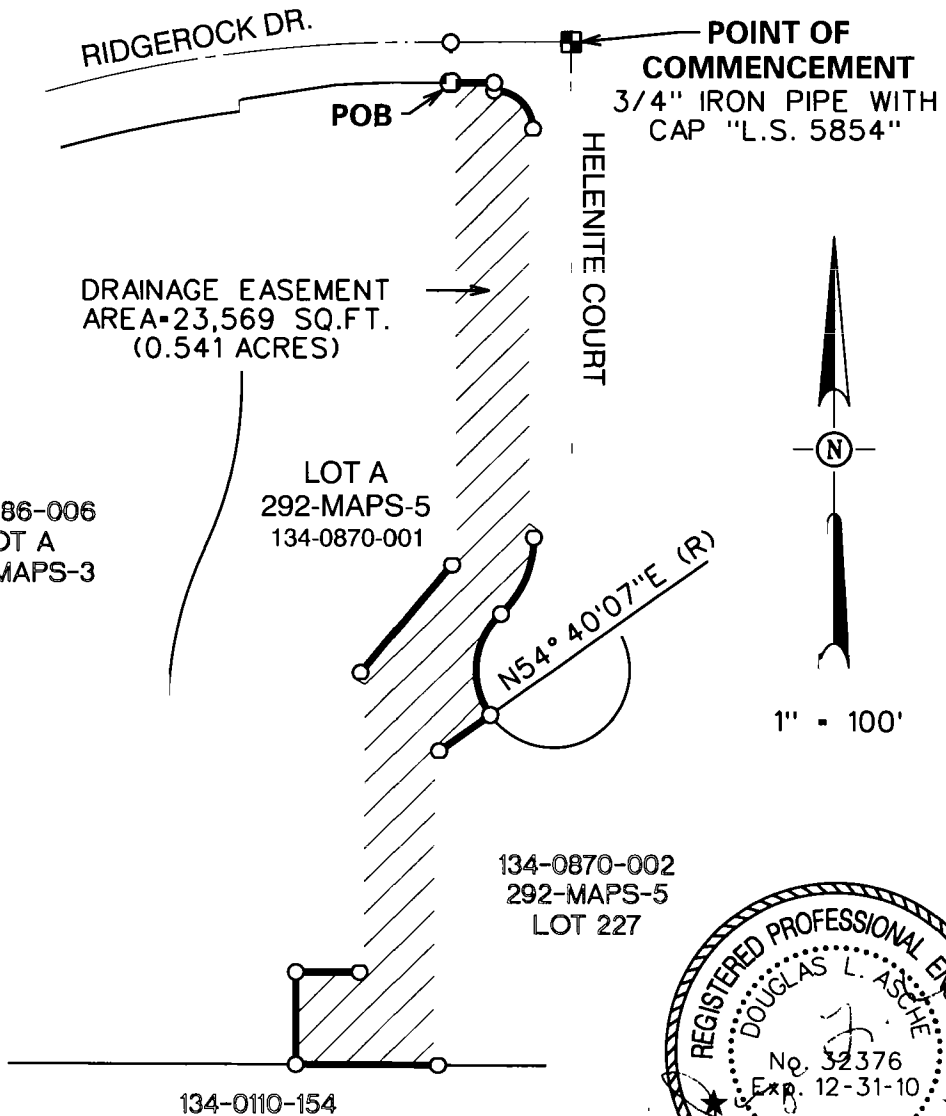


EXHIBIT "B"
DRAINAGE EASEMENT
 APN: 134-0870-001
 CITY OF ELK GROVE
 CALIFORNIA
 PROPERTY OF
 ELK GROVE COMMUNITY SERVICE DISTRICT
 28 JULY 2009



7777 Greenback Lane
 Suite 104
 Citrus Heights, CA 95610
 Tel. (916) 722-1800
 Fax (916) 722-4595

CIVIL - WATER RESOURCES - SURVEYING

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2009-239

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

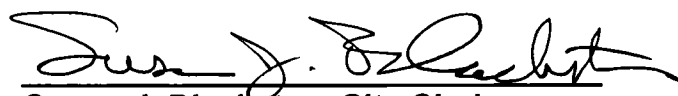
I, Susan J. Blackston, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on December 9, 2009 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Susan J. Blackston, City Clerk
City of Elk Grove, California