


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
Elk Grove, CA 95758


Sacramento County Recorder
Craig A. Kramer, Clerk/Recorder
BOOK 20111121 PAGE 0817
Monday, NOV 21, 2011 12:24:53 PM
Ttl Pd \$0.00 Rcpt # 0007045869
ABG/86/1-5

Space above this line for Recorder's Use

RESOLUTION NO. 2011-211

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE VACATING AN EASEMENT FOR BICYCLE AND PEDESTRIAN PURPOSES ON THE LAGUNA SPRINGS CORPORATE CENTER PHASE 3 PROJECT

WHEREAS, the City of Elk Grove (City) was granted an easement for bicycle and pedestrian purposes on the map of "Subdivision No 02.305.00, Laguna Business Park", filed in Book 335 Page 1 of Maps, in the Office of the County Clerk / Recorder of Sacramento County; and

WHEREAS, the City has determined that the easement can be relocated to the southern property line consistent with the location of the trail shown in the Elk Grove Trails Master Plan and General Plan Figure PTO-2. The relocated trail easement would provide a connection from Elk Grove Creek to Miwok and Foulks parks, consistent with General Plan Policy PTO-7.

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

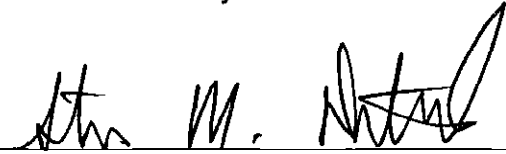
- 1) That this easement is defined under the Streets and Highway Code, Division 9, Part 3, Chapter 1, Section 8306 (a) as a "Public Service Easement"; and
- 2) That this easement may be summarily vacated pursuant to the Streets and Highway Code, Division 9, Part 3, Chapter 4, Article 1, Section 8333 (c) since it has been determined that this easement has superseded by relocation and there are no public facilities within the easement area; and
- 3) This vacation is found to be in conformance with the General Plan pursuant to Section 65402 (a) of the Government Code by the Planning Commission on October 20, 2011; and
- 4) The proposed vacation is not subject to the California Environmental Quality Act (CEQA), because it is not a "project", pursuant to the Planning Commission's delegation of authority and CEQA Guidelines Section 15060 (c)(3) and 15378 of Chapter 14 of the California Code of Regulations and Public Resources Code Section 21065. A notice of determination will be filed upon project approval; and

5) The easement being vacated is the described in Exhibit "A" and delineated on "Exhibit B" attached hereto.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED that the bicycle and pedestrian easement over the Laguna Springs Corporate Center Phase 3 project as shown in Exhibit "A" and delineated on Exhibit "B" is hereby vacated and that from and after the date of the recordation of this resolution the bicycle and pedestrian easement no longer exists.

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 Vacation and Exhibits "A" and "B" attached hereto attested by the Clerk under seal, to be recorded in the Office of the County Clerk / Recorder of the County of Sacramento.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 9th day of November 2011.



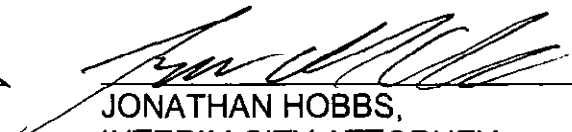
STEVEN M. DETRICK, MAYOR of the
CITY OF ELK GROVE

ATTEST:

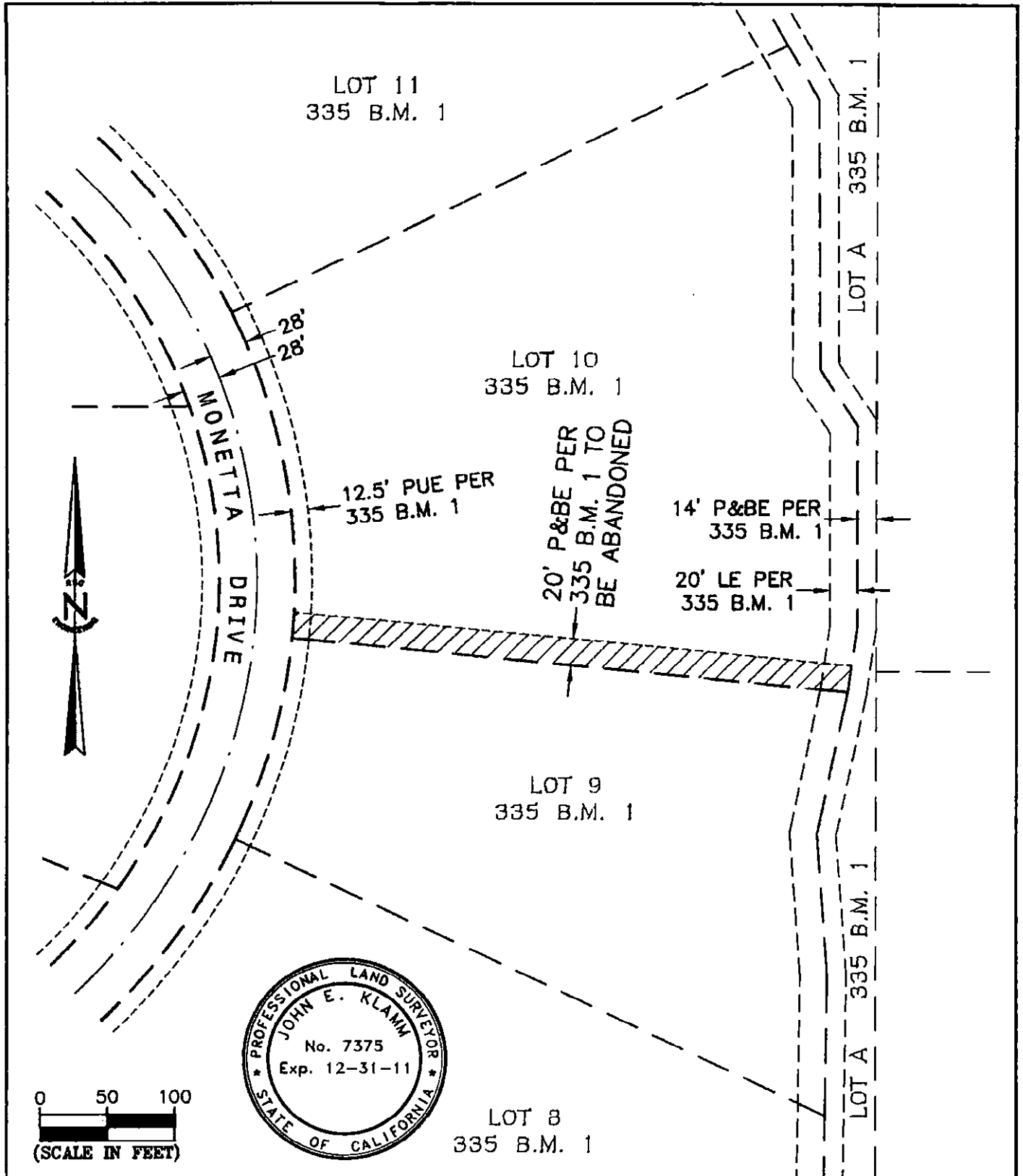


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN HOBBS,
INTERIM CITY ATTORNEY



RSC ENGINEERING
 2250 Douglas Blvd.
 Suite 150
 Roseville, CA 95661
 Ph: 916.788.2884
 Fax: 916.788.4408

**EXHIBIT "B" - ABANDONMENT OF
 PEDESTRIAN AND BICYCLE EASEMENT
 LOT 10, LAGUNA BUSINESS PARK, 335 B.M. 1
 CITY OF ELK GROVE, COUNTY OF SACRAMENTO
 STATE OF CALIFORNIA**

SCALE: 1"=100'
DATE: 8/16/11
SHEET 1 OF 1

EXHIBIT "A"
DESCRIPTION OF
PEDESTRIAN AND BICYCLE
EASEMENT ABANDONMENT

THAT CERTAIN PEDESTRIAN AND BICYCLE EASEMENT TWENTY (20.00) FEET IN WIDTH LOCATED WITHIN AND ADJACENT TO THE SOUTHERLY BOUNDARY OF LOT 10, AS SHOWN ON THE MAP OF SUBDIVISION NO. 02-305.00 LAGUNA BUSINESS PARK, FILED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY ON SEPTEMBER 21, 2010 IN BOOK 335 OF MAPS, AT PAGE 1.

END OF DESCRIPTION



**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2011-211**

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

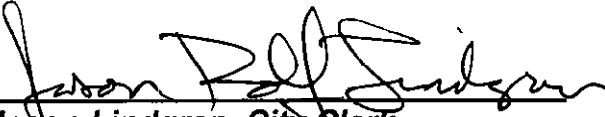
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on November 9, 2011 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *Cooper, Scherman*



Jason Lindgren, City Clerk
City of Elk Grove, California