



Sacramento County
Donna Ailred, Clerk/Recorder

Doc #	202203230722	Fees	\$0.00
3/23/2022	10:38:00 AM	Taxes	\$0.00
BSL		PCOR	\$0.00
Titles	1	Paid	\$0.00
Pages	9		

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

City Clerk's Office
City of Elk Grove
8401 Laguna Palms Way
Elk Grove, CA 95758

Space above this line for Recorder's use

RESOLUTION 2022-056

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A SUMMARY VACATION OF A DRAINAGE EASEMENT FOR
DRAINAGE DITCH PURPOSES OVER PROPERTY LOCATED AT 10108 GRANT
LINE ROAD [APN 134-0110-150] AND A PORTION OF A DRAINAGE EASEMENT
FOR DRAINAGE DITCH PURPOSES LOCATED OVER PROPERTY LOCATED AT
10076 GRANT LINE ROAD [APN 134-0110-158] (CEQA EXEMPT)**

RESOLUTION NO. 2022-056

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A SUMMARY VACATION OF A DRAINAGE EASEMENT FOR DRAINAGE DITCH PURPOSES OVER PROPERTY LOCATED AT 10108 GRANT LINE ROAD [APN 134-0110-150] AND A PORTION OF A DRAINAGE EASEMENT FOR DRAINAGE DITCH PURPOSES LOCATED OVER PROPERTY LOCATED AT 10076 GRANT LINE ROAD [APN 134-0110-158] (CEQA EXEMPT)

WHEREAS, the City acquired a drainage easement located at 10108 Grant Line Road (APN 134-0110-150) on October 15, 2007, per deed recorded in Book 20071015, Page 1404, Official Records of Sacramento County (Pawar Drainage Easement) for the Grant Line Road Widening Project-East Stockton Boulevard to Bradshaw Road (PT0034) ("Phase I Project"); and

WHEREAS, the City acquired a drainage easement located at 10076 Grant Line Road (APN 134-0110-158) on September 11, 2007, per deed recorded in Book 20070911, Page 1004, Official Records of Sacramento County (Brown Drainage Easement) for the Phase I Project; and

WHEREAS, the Pawar Drainage Easement and a portion of the Brown Drainage easement are no longer required for the Phase I Project or the subsequent phased project, Grant Line Road Widening Phase 2 (Waterman to Bradshaw) Project (WTR002) ("Phase 2 Project") and there are no public facilities nor are there any underground drainage pipes within the easements and the easements are not being used for the intended purpose and now are excess easement areas not required for any drainage purposes and therefore the easements should be vacated; and

WHEREAS, the Pawar Drainage Easement and a portion of the Brown Drainage Easement have not been used for the purpose for which they were acquired for five consecutive years immediately preceding the proposed vacation; and

WHEREAS, the Project qualifies as a project under the California environmental quality Act (CEQA), Public Resource Code §§21000-21189.3 but is exempt; and

WHEREAS, Section 15305 (Minor Alterations in Land Use Limitations) of Title 14 of the California Code of Regulations (State CEQA Guidelines) provides an exemption from CEQA for projects that do not result in any change in land use or density on sites with less than twenty percent slope, such as lot line adjustments, minor encroachment permits, and reversion to acreage; and

WHEREAS, based on staff's review of the Project, no special circumstances exist that would create a reasonable possibility that granting the vacation will have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the City council of the City of Elk Grove hereby finds the Project exempt from the provisions of CEQA under Section 15305 (Minor Alterations in Land Use Limitations) of Title 14 of the California Code of Regulations based upon the following findings:

Finding: The Project is exempt from environmental review under CEQA pursuant to Section 15305 of the State CEQA Guidelines.

Evidence: The proposed action involves the vacation of easements for drainage ditch and incidental purposes. The action would not increase the density of development in these areas. The site is relatively flat. Therefore, the proposed action qualifies for the Section 15305 exemption and no further environmental review is required.

AND, BE IT FURTHER RESOLVED, that the City Council of the City of Elk Grove hereby finds:

- a. The summary vacation of the Pawar Drainage Easement and a portion the Brown Drainage Easement is being made pursuant to Division 9, Part 3, Chapter 4 of the Streets and Highways Code, Summary Vacation Sections 8330 through 8336, inclusive; and
- b. The Pawar Drainage Easement being vacated is described in Exhibit A Legal Description and depicted on Exhibit B Plat to accompany Legal Description, attached hereto and incorporated herein by reference ; and
- c. The Brown Drainage Easement being vacated is described in Exhibit C Legal Description and depicted on Exhibit D Plat to accompany Legal Description, attached hereto and incorporated herein by reference: and
- d. That the Pawar Drainage Easement and a portion of the Brown Drain Easement are not necessary for present or prospective public use, there are no other public facilities within the easements, they have not been used for the purpose for which they were acquired for five consecutive years immediately preceding the proposed vacation, and the public interest will be well served by the herein vacation; and
- e. The summary vacation is consistent with the City's General Plan and with Section 65402 of the Government Code as determined by the Planning Commission on April 1, 2021, by Resolution No. 2021-09, finding that the 2021-2026 Capital Improvement Program (CIP), which included the Project (WTR002), is consistent with the City's General Plan.

AND, BE IT FURTHER RESOLVED, that the summary vacation of the Pawar Drainage Easement, as described in Exhibit A and as depicted on Exhibit B, and a portion the Brown Drainage Easement as described in Exhibit C and as depicted on Exhibit D, is hereby approved and vacated and shall no longer constitute drainage easements;

AND, 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, B, C, and D, attached hereto and attested by the City 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 this 9th day of March 2022



BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS,
CITY ATTORNEY

EXHIBIT A

LEGAL DESCRIPTION

City Parcel 04-23-11-B: Drainage Easement
In or near APN 134-0110-071

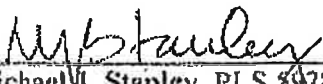
A portion of the property described in the Grant Deed to John Pappas, Trustee, et al, recorded April 11, 2005 in Book 20050411, Page 1468, Official Records of Sacramento County, located in Lots 2 and 3 of Section 8, Township 6 North, Range 6 East, Mount Diablo Meridian, in the City of Elk Grove, Sacramento County, California, described as follows:

Commencing at the southerly corner of said Pappas property on a line parallel and 30.00 feet northwesterly of the centerline of Grant Line Road; thence along the southwesterly boundary of said Pappas property North 50°09'40" West 31.91 feet to the **Point of Beginning**; thence continuing along said southwesterly boundary North 50°09'40" West 14.08 feet; thence along the arc of a non-tangent curve to the left having a radius of 1,955.00 feet, a central angle of 01°58'29", an arc length of 67.38 feet, and a chord that bears North 32°45'04" East 67.37 feet; thence along the arc of a reverse curve to the right, having a radius of 2,045.00 feet, a central angle of 06°04'21", an arc length of 216.74 feet and a chord that bears North 34°48'00" East 216.64 feet to the easterly boundary of said Pappas property; thence along said easterly boundary South 00°45'37" West 23.36 feet; thence along the arc of a non-tangent curve to the left having a radius of 2,031.00 feet, a central angle of 05°32'48", an arc length of 196.62 feet, and a chord that bears South 34°32'14" West 196.54 feet; thence along the arc of a reverse curve to the right, having a radius of 1,969.00 feet, a central angle of 02°01'05", an arc length of 69.35 feet and a chord that bears South 32°46'22" West 69.35 feet to the **Point of Beginning**.

containing 3,851 square feet or 0.0884 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.

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


Michael W. Stanley, PLS 5978



December 23, 2005

EXHIBIT B

PLAN MAP

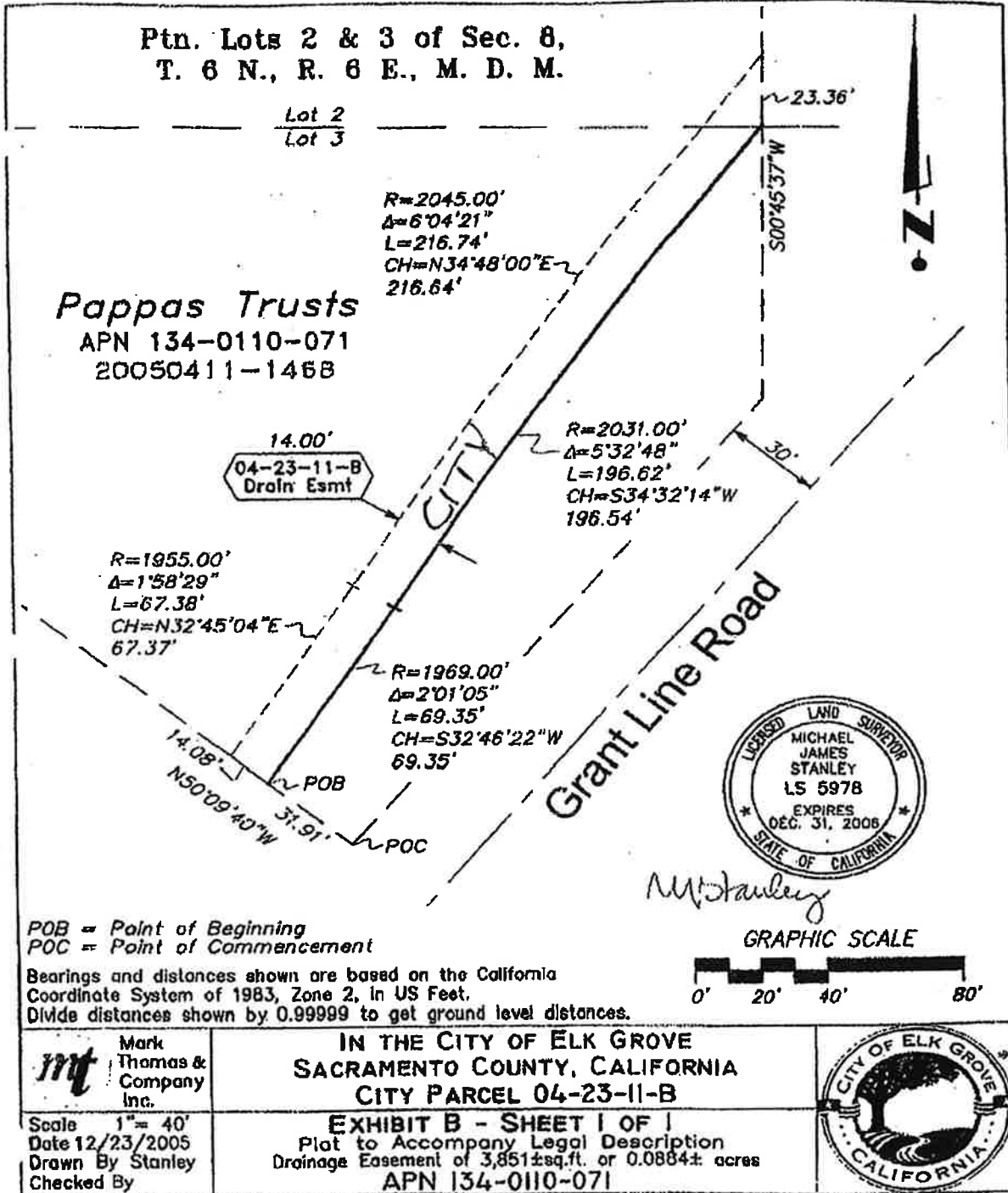


EXHIBIT "C"
APN: 134-0110-158
SUMMARY VACATION OF PORTION OF DRAINAGE
EASEMENT

All that certain real property situated in County of Sacramento, State of California, being a portion of the Tract of Land as described in Book 20140203 at Page 736, Official Records of Sacramento County, said Tract being shown on sheet 2 lying on the Northwesternly side of Grant Line Road as "DOC. NO. 140203-0738 O.R.", on Record of Survey filed in Book 88 at Page 6 of Surveys, Sacramento County Records, more particularly described as follows:

Beginning at the intersection of the Northerly Right of Way line of Grant Line Road as described in Book 20070911 at Page 1003, Official records of Sacramento County and the West line of said Tract of Land, also being a point on the Southerly line of the 14 foot Drainage Easement described in Document No. 070911-1003, Official records of Sacramento County; thence leaving said Northerly Right of Way line along said West line North 00°47'50" East, 23.57 feet to the Northerly line of said Drainage Easement; thence along the Northerly line of said Drainage Easement and a curve to the right, having a radius of 2045.00 feet, through a central angle of 07°44'59" and being subtended by a chord bearing of North 41°44'30" East, 276.39 feet; thence leaving said Northerly line South 50°14'08 East, 14.08 feet, to a point on said Northerly line of Right of Way of Grant Line Road and the Southerly line of said Drainage Easement; thence along the Northerly line of said Right of Way and the Southerly line of said Drainage Easement, along a curve to the left, having a radius of 2031.00 feet, through a central angle of 08°25'14", and being subtended by a chord bearing of South 41°28'31" West, 294.69 feet to the Point of Beginning containing 0.092 acres more or less.

See Exhibit "B" attached hereto and made a part of this description.

The **Basis of Bearings** for this legal description is identical to that of Book 88 of Surveys at Page 6, Sacramento County Records.

This description has been prepared by me or under my direct supervision in conformance with the Professional Land Surveyors Act.



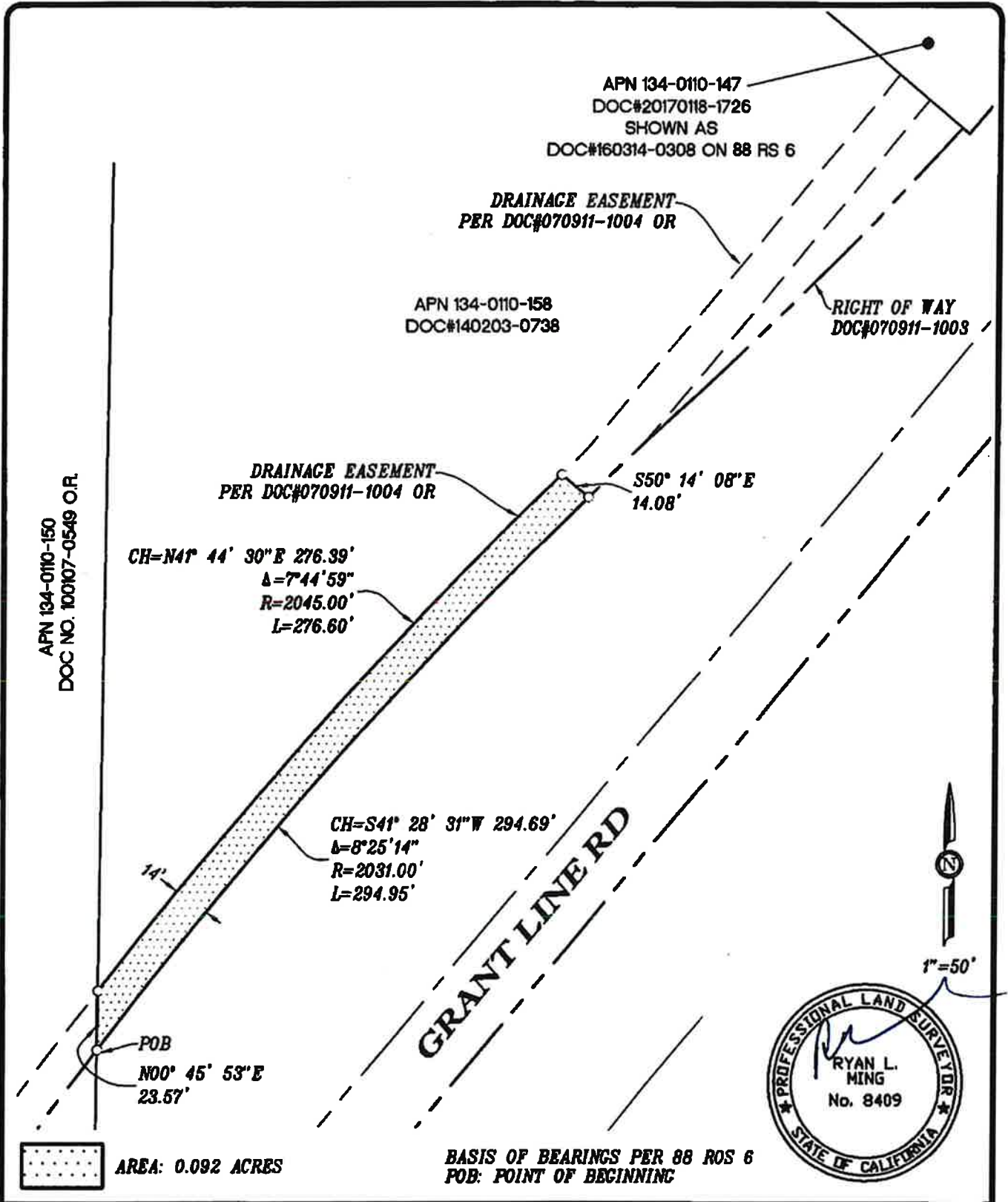
Ryan L. Ming P.L.S. 8409

2-28-2022

Date



EXHIBIT D



APN 134-0110-150
DOC NO. 100107-0549 O.R.

DATE	<p align="center">EXHIBIT D</p> <p align="center">SUMMARY VACATION OF PORTION OF DRAINAGE EASEMENT</p> <p>COUNTY OF SACRAMENTO APN 134-0110-158 CALIFORNIA</p>	<p align="center">UNICO</p> <p align="center">ENGINEERING</p> <p>110 BLUE RAVINE RD SUITE 101 FOLSOM, CA 95630 PHONE: 916.900.8623 unicoengineering.com</p>
SHEET 2 OF 2		

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2022-056**

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 March 9, 2022, by the following vote:

AYES: COUNCILMEMBERS: Singh-Allen, Suen, Hume, Nguyen, Spease

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



**Jason Lindgren, City Clerk
City of Elk Grove, California**