

RESOLUTION NO. 2005-101

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE MELAVIC FAMILY TRUST RELATED TO CROOKED CREEK ESTATES CONDITION OF APPROVAL FOR ROADWAY MAINTENANCE AND POLICE SERVICES FUNDING

WHEREAS, on January 5, 2005, the City Council approved Tentative Map No. EG-03-499 (the "Tentative Map") with respect to parcels that are planned to be developed within the Crooked Creek Subdivision as further described as Assessor Parcel Numbers 134-0110-064 and 134-0110-065, (the "Melavic Trust Property");

WHEREAS, the owner of the Melavic Trust Property will be submitting a Final Subdivision Map application for the Crooked Creek Subdivision; and

WHEREAS, the City Council has duly considered the contents of the Memorandum of Understanding between the City and the property owner a copy of which is on file with the City Clerk, which would set forth their mutual understanding relating to roadway maintenance funding and annexation into the City's Community Facilities District No. 2003-2 (Police Services) (the "CFD") and the steps to be taken to ensure consummation of the levy of special benefit assessments and authorization of levy of special taxes on properties within the Crooked Creek Subdivision, all in connection with the City Council's consideration of the proposed Final Subdivision Map for the Crooked Creek Subdivision;

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

Section 1. Recitals. The foregoing recitals are true and correct and the City Council so finds and determines.

Section 2. Authorization of Officers to Execute and Deliver Memorandum of Understanding. The City Council hereby authorizes and directs the Mayor and the City Clerk, and each of them individually (the "Designated Officers"), for and in the name of and on behalf of the City, to execute and deliver the Memorandum of Understanding in substantially the form of the draft presented to this meeting, which Memorandum of Understanding is hereby approved, with such changes, insertions, revisions, corrections, or amendments as shall be approved by the Designated Officer or Officers executing the Memorandum of Understanding for the City. The execution of the Memorandum of Understanding by a Designated Officer or Officers of the City shall constitute conclusive evidence of such officer's or officers' and the City Council's approval of the Memorandum of Understanding and any such changes, insertions, revisions, corrections, or amendments.

Section 3. General Authorization. The Designated Officers and other officers of the City, and each of them individually, are hereby authorized and directed, for and in the name of and on behalf of the City, to do any and all things and take any and all actions that may be necessary or advisable, in their discretion, in order to effect the purposes of this resolution. All actions heretofore taken by officers, employees, and agents of this City that are in conformity with the purposes and intent of this resolution are hereby approved, confirmed, and ratified.

Section 4. Effective Date. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 27th day of April 2005.



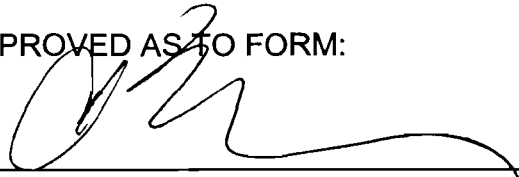
DANIEL BRIGGS, MAYOR of the
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:



PEGGY E. JACKSON
CITY CLERK



ANTHONY B. MANZANETTI
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2005-101**

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

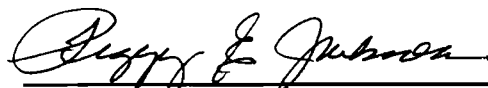
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 27th day of April 2005 by the following vote:

AYES: COUNCILMEMBERS: Scherman, Soares, Briggs

NOES: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS: Cooper, Leary

ABSENT: COUNCILMEMBERS:



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