

**RESOLUTION NO. 2005-107**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AUTHORIZING THE EXECUTION OF A  
MEMORANDUM OF UNDERSTANDING 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 in Exhibit "A" (the "Johan Otto Property");

**WHEREAS**, the current owner of the Johan Otto 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, the current property owner and future 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.

  
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DANIEL BRIGGS, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
PEGGY E. JACKSON,  
CITY CLERK

APPROVED AS TO FORM:


  
\_\_\_\_\_  
ANTHONY B. MANZANETTI,  
CITY ATTORNEY

EXHIBIT A  
PROPERTY DESCRIPTION

APN # 134-0110-073

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2005-107**

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

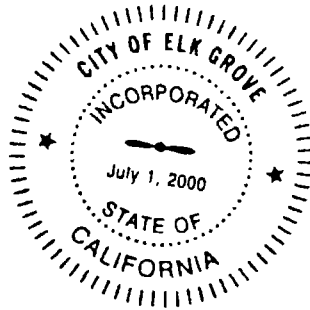
***I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 27<sup>th</sup> day of April 2005 by the following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

**AYES:           COUNCILMEMBERS:       Scherman, Soares, Briggs**

**NOES:           COUNCILMEMBERS:**

**ABSTAIN:       COUNCILMEMBERS:       Leary, Cooper**

**ABSENT:        COUNCILMEMBERS:**



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