

Resolution No. 2006-242

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
REQUESTING THE SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
TO TAKE PROCEEDINGS FOR THE FRANKLIN CROSSING ANNEXATION**

WHEREAS, the City of Elk Grove (the "City") desires to initiate a proposal pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the annexation of certain territory to the City, commonly referred to as Franklin Crossing, and the detachment of Franklin Crossing from the County of Sacramento (the "County"); and,

WHEREAS, a notice of intent to adopt this resolution has been given to the Sacramento Local Agency Formation Commission (the "LAFCo"), County, Elk Grove Community Service District, and California Department of Transportation; and,

WHEREAS, the Franklin Crossing annexation area is uninhabited, and a description of the boundaries of the Franklin Crossing annexation area is set forth in Exhibits A, B-1, and B-2 attached hereto and by this reference incorporated herein; and,

WHEREAS, this proposal is not consistent with the sphere of influence of the City; and,

WHEREAS, an amendment to the City's Sphere of Influence will be necessary to include the Franklin Crossing annexation area; and,

WHEREAS, the City desires to submit the Sphere of Influence request to the LAFCo concurrent with the Annexation request, which requires a waiver of local policy via letter by the City Manager at application submittal; and,

WHEREAS, it is desired to provide that the proposed annexation be subject to the following terms and conditions:

1. All costs incurred to complete the sphere of influence amendment and annexation request, including, but not limited to LAFCo and the State Board of Equalization will be born by the property owner.
2. All impact mitigation fees will be applied to any construction after the completion of the annexation.

WHEREAS, the reason for the proposed annexation is as follows:

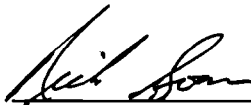
1. The Franklin Crossing annexation area is part of the East Franklin Specific Plan approved by the Sacramento County Board of Supervisors in June 2000.

The annexation area is the only portion of the East Franklin Specific Plan that is not currently located within the City boundaries.

WHEREAS, the City has made an environmental determination that the Franklin Crossing annexation area will not have a significant adverse impact on the environment and a Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA).

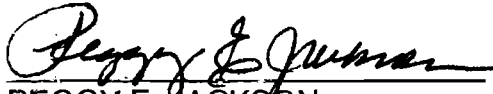
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove adopts and approves this Resolution and the Sacramento Local Agency Formation Commission of Sacramento County is hereby requested to take proceedings for the annexation of Franklin Crossing as described in Exhibits A, B-1, and B-2 according to the terms and conditions stated above and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 27th day of September 2006.



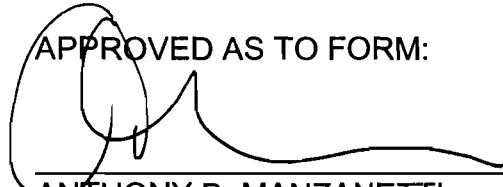
RICK SOARES, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON,
CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

EXHIBIT A

DESCRIPTION OF ANNEXATION PROPERTY

All that certain real property situate in a portion of the Southeast One-Quarter of Section 8 and the Northeast One-Quarter of Section 17, all in Township 6 North, Range 5 East, Mount Diablo Meridian, County of Sacramento, State of California, and being further described as a portion of the Lands of Stathos as described in that certain Boundary Line Adjustment recorded July 19, 2005 in Book 20050719 at Page 1225, Official Records of Sacramento County, and being further described as the following:

All that portion of the Northeast One-Quarter of Section 17, Township 6 North, Range 5 East, lying East of the following described line as described in those certain Grant Deeds recorded December 13, 2002 in Book 20021213, at Pages 1546 and 1547, Official Records of Sacramento County:

BEGINNING at the Northeast corner of that certain Parcel of land conveyed by Deed dated March 30, 1909, recorded April 8, 1909, in Book 287 Deeds, Page 166, Sacramento County Records, executed by August Kloss and Amelia Kloss, his wife, to Western Pacific Railway Company, said Northeast corner being a point on the north on the line of said Section 17, located 200.00 feet distant easterly measured at right angles from the centerline of Western Pacific Railway Company's Line of Railroad; thence southerly along the easterly line of said parcel, parallel to and 200.00 feet distant easterly measured at right angles from said centerline of railroad South 05°11'00" East 1415.23 feet more or less to the Southeast corner of said Parcel herein above described; thence South 84°49'00" West 150.00 feet to a point located on the easterly line of that certain strip of land, 100.00 feet in width, conveyed by Deed dated May 3, 1907, recorded December 9, 1907, in Book 265 of Deeds, Page 61, Sacramento County Records, executed by August Kloss and Amelia Kloss, his wife, to Western Pacific Railway Company; thence Southerly along the Easterly line of said 100 foot wide strip of land, parallel to 50.00 feet distant easterly measured at right angles from the centerline of said railroad, South 05°11'00" East 1218.99 feet, more or less to the south line of said Northeast One-Quarter of Section 17, Township 6 North, Range 5 East.

Together with that certain real property situate in a portion of the Southeast One-Quarter of Section 8, Township 6 North, Range 5 East, Mount Diablo Meridian as described in that certain Grant Deed recorded July 19, 2005 in Book 20050719, at Page 1226, Official Records of Sacramento as described as the following:

Lot J as shown on that certain final map entitled "Subdivision No. 02-285.1 - Bilby Ranch Unit 1" filed for recorded on June 24, 2004 in Book 331 of Maps, at Page 5, Sacramento County Records.


Excepting therefrom that certain real property situate in a portion of the Northeast One-Quarter of Section 17, Township 6 North, Range 5 East, Mount Diablo Meridian as described in that certain Grant Deed recorded July 19, 2005 in Book 20050719, at Page 1227, Official Records of Sacramento County as described as the following:

BEGINNING at a point on the North Line of the Northeast One-Quarter of said Section 17, from which a found nail and shiner accepted as the Northeast corner of said Section 17 as shown on that certain Final Map entitled "BILBY RANCH UNIT 1" filed for record in Book 331 of Maps at Page 5, Sacramento County Records bears North 88°38'55" East a distance of 99.18 feet; thence from said POINT OF BEGINNING, leaving said North line of the Northeast One-Quarter of said Section 17, from a radial line which bears North 13°06'13" West, 59.33 feet along the arc of a non-tangent 650.00 foot radius curve to the left through a central angle of 05°13'48" to a point of compound curvature; thence 158.71 feet along

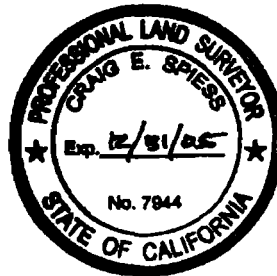
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the arc of a tangent 1036.00 foot radius curve to the left through a central angle of $08^{\circ}46'38''$; thence South $62^{\circ}53'22''$ West a distance of 46.37 feet; thence North $27^{\circ}06'38''$ West a distance of 6.00 feet to a point of curvature; thence from a radial line which bears South $27^{\circ}06'38''$ East, 39.27 feet along the arc of a non-tangent 25.00 foot radius curve to the right through a central angle of $90^{\circ}00'00''$; thence South $62^{\circ}53'22''$ West a distance of 6.00 feet; thence North $27^{\circ}06'38''$ West a distance of 86.83 feet to a point on the North line of the Northeast One-Quarter of said Section 17; thence along said North Line of the Northeast One-Quarter of Section 17, North $88^{\circ}38'55''$ East a distance of 325.99 feet to the Point of Beginning.

Resultant Lands of Stathos contain 86.351 acres of land, more or less.


Craig E. Spiess P.L.S. 7944
Expires December 31, 2005

Date: 8/16/05



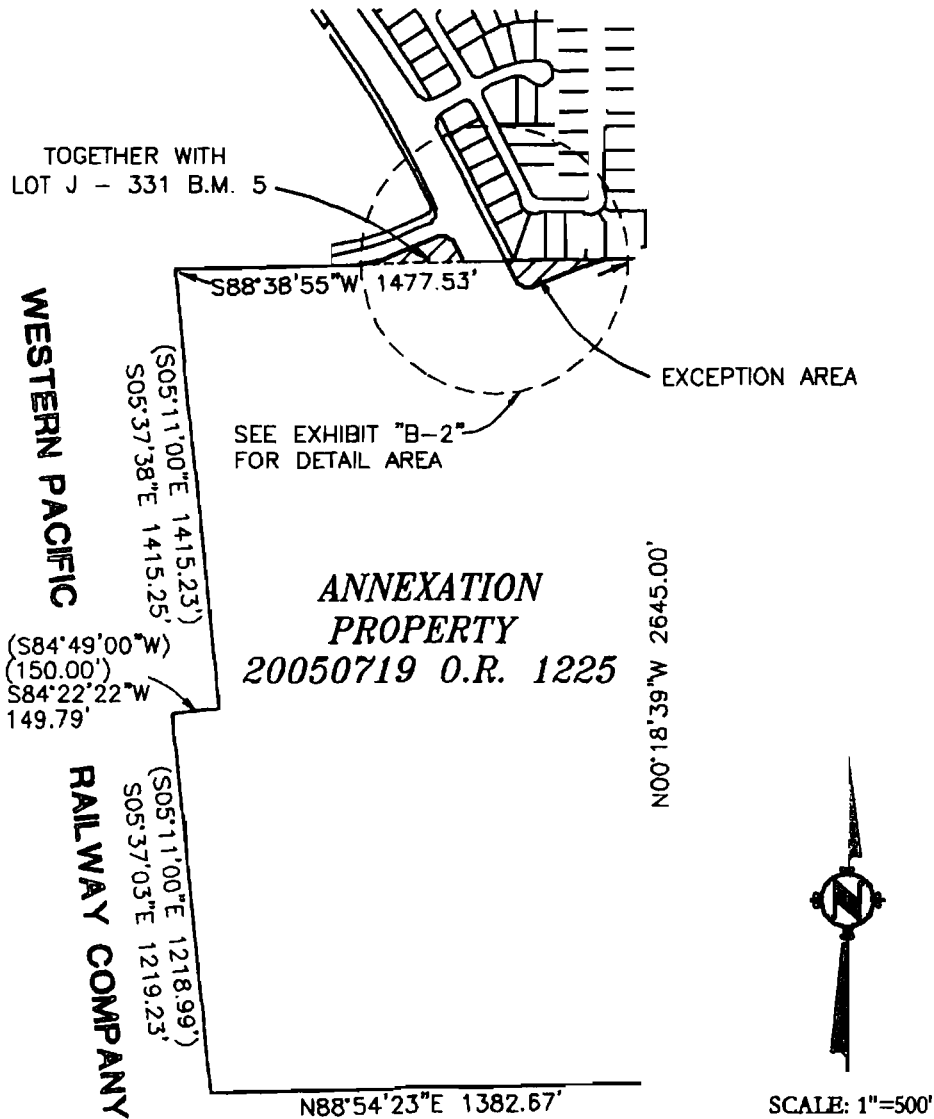
PREPARED BY WOOD RODGERS, INC.
SACRAMENTO, CALIFORNIA

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EXHIBIT B-1

PLAT TO ACCOMPANY
DESCRIPTION
SEE DESCRIPTION FOR
COURSE INFORMATION

FRANKLIN CROSSING
ANNEXATION PROPERTY
CITY OF ELK GROVE/COUNTY OF SACRAMENTO
STATE OF CALIFORNIA



SCALE: 1"=500'

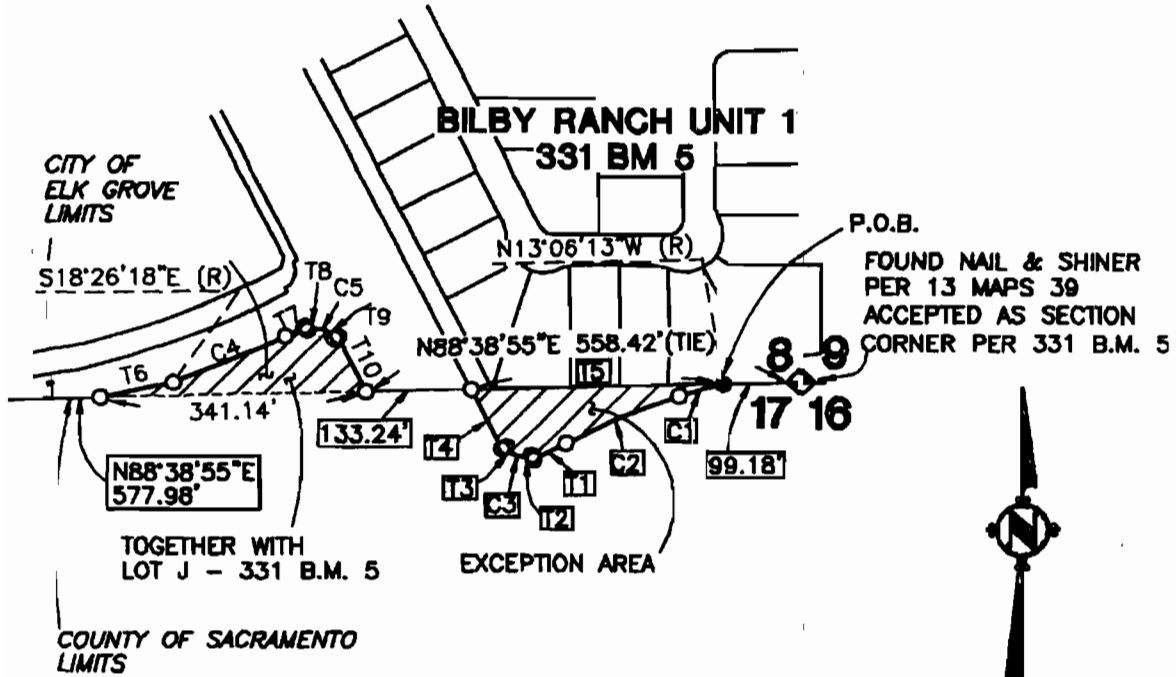


WOOD RODGERS
ENGINEERING • MAPPING • PLANNING • SURVEYING
3301 C St., Bldg. 100-B Tel 916.341.7760
Sacramento, CA 95816 Fax 916.341.7767

EXHIBIT B-2

PLAT TO ACCOMPANY
DESCRIPTION
SEE DESCRIPTION FOR
COURSE INFORMATION

FRANKLIN CROSSING
ANNEXATION PROPERTY
CITY OF ELK GROVE/COUNTY OF SACRAMENTO
STATE OF CALIFORNIA



ANNEXATION PROPERTY
20050719 O.R. 1225

LINE TABLE		
LINE	BEARING	DISTANCE
T1	S62°53'22"W	46.37'
T2	N27°06'38"W	6.00'
T3	S62°53'22"W	6.00'
T4	N27°06'38"W	86.83'
T5	N88°38'55"E	325.99'
T6	N78°15'07"E	96.28'
T7	N62°53'22"E	28.39'
T8	S27°06'38"E	6.00'
T9	N62°53'22"E	6.00'
T10	S27°06'38"E	80.00'

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	650'	05°13'48"	59.33'
C2	1036'	08°46'38"	158.71'
C3	25'	90°00'00"	39.27'
C4	1028'	08°40'21"	155.60'
C5	25'	90°00'00"	39.27'

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**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2006-242**

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 September 27, 2006 by the following vote:

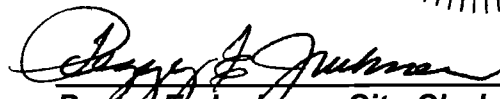
AYES : COUNCILMEMBERS: Soares, Scherman, Briggs, Cooper, Leary

NOES : COUNCILMEMBERS: None

ABSTAIN : COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None





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