

RESOLUTION NO. 2006-325

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
DECLARING THE NECESSITY AND AUTHORIZING THE COMMENCEMENT OF
EMINENT DOMAIN PROCEEDINGS TO SECURE REAL PROPERTY INTERESTS
NECESSARY TO CONSTRUCT THE SHELDON ROAD/STATE ROUTE-99
INTERCHANGE RECONSTRUCTION PROJECT
(FAMILY REAL PROPERTY, LIMITED PARTNERSHIP / APN: 116-0030-052 & 053)**

WHEREAS, improving and widening the Sheldon Road/State Route 99 Interchange holds a priority in the City of Elk Grove Transportation Improvement Program and acquiring the necessary right of way and other property interests and assisting with the required business and residential relocations is an important and necessary step in the Sheldon Road/State Route 99 Interchange Reconstruction Project; and

WHEREAS, the Project, including its improvements, is necessary to ensure that the roadway system operates at an acceptable level of service, to provide for efficient and safe traffic circulation and access, and to generally further public safety and the general community welfare in a manner consistent with the City's General Plan; and

WHEREAS, it is necessary to acquire certain real property interests ("Property") for the construction, operation and maintenance of a right of way and related improvements as part of the Project; and

WHEREAS, the City has investigated and examined alternatives to the Project and the acquisition of the Property, and concluded that both the Project and acquisition of the Property for the Project are necessary; and

WHEREAS, the Property which is the subject of this Resolution of Necessity consists of a fee interest, a public utility easement and a temporary construction easement all of which are more particularly described and depicted in Exhibits 1-A-1, 1-A-2, 1-A-3, 1-A-4, 1-B-1, 1-B-2, 1-B-3, 1-C-1, 1-C-2, 1-C-3, 1-D-1, 1-D-2, 1-E-1, 1-E-2, 1-F-1, 1-F-2, 2-A-1, 2-A-2, 2-B-1, 2-B-2, 2-B-3, 2-C-1, 2-C-2 and 2-C-3 which are attached hereto and are incorporated herein. The Sacramento County Assessor has designated the Property a portion of APNs 116-0030-052 & 053; and

WHEREAS, the property described in Exhibits 1-F-1 and 1-F-2 will have little or no economic value in the after condition and therefore is a remnant pursuant to Code of Civil Procedure section 1240.410, *et seq.*; and

WHEREAS, the property described in Exhibits 1-D-1, 1-D-2, 1-E-1 and 1-E-2 is required to provide access from an adjoining parcel to a public road pursuant to Code of Civil Procedure section 1240.350; and

WHEREAS, the Property is located entirely within the municipal boundaries of the City of Elk Grove; and

WHEREAS, the City of Elk Grove has complied with the requirements of the California Environmental Quality Act, Public Resources Code section 21000, *et seq.*, in regards to acquisition of the Property based upon the City of Elk Grove's adoption of a Final Environmental Report and Assessment, including the Mitigation Monitoring and Reporting Program as adopted by the City Council on July 27, 2005; and

WHEREAS, the City of Elk Grove has complied with the requirements of Government Code section 7267.2, in regards to the acquisition of the Property by making an offer to purchase to the known owner(s) of record; and

WHEREAS, as a result of the hearing held on December 13, 2006, and in accordance with the provisions of Code of Civil Procedure section 1245.235, the City Council of the City of Elk Grove intends to make certain findings and determinations.

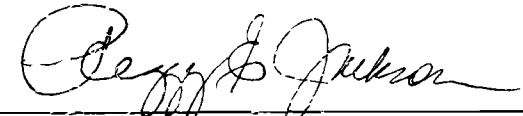
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elk Grove as follows:


1. The recitals contained herein are true and correct.
2. Upon examination of the alternatives, the City of Elk Grove requires the Property for the Project.
3. The City of Elk Grove is authorized to acquire Properties pursuant to the provisions of Government Code sections 37350.5, 40401 and 40404 and the provisions of Eminent Domain Law comprising Title 7, Part 3 of the Code of Civil Procedure (commencing at section 1230.010), including sections 1240.350 and 1240.410, *et seq.*
4. Acquisition of the Properties for Project purposes promotes public safety and the general welfare, is authorized by Government Code section 37350.5, and is therefore a public use.
5. The City of Elk Grove hereby finds, determines and declares:
 - a. The public interest and necessity require the proposed Project;
 - b. The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

- c. The property interests described and depicted in Exhibits 1-A-1, 1-A-2, 1-A-3, 1-A-4, 1-B-1, 1-B-2, 1-B-3, 1-C-1, 1-C-2, 1-C-3, 1-D-1, 1-D-2, 1-E-1, 1-E-2, 1-F-1, 1-F-2, 2-A-1, 2-A-2, 2-B-1, 2-B-2, 2-B-3, 2-C-1, 2-C-2 and 2-C-3 are necessary for the purposes of construction, operation and maintenance of the proposed Project, and/or such acquisition is authorized pursuant to Code of Civil Procedure sections 1240.350 and 1240.410, *et seq.*;
 - d. Prior to making the above findings and determinations, the offer required by section 7267.2 of the Government Code was made to the owner(s) of record of the property interests described and depicted in Exhibits 1-A-1, 1-A-2, 1-A-3, 1-A-4, 1-B-1, 1-B-2, 1-B-3, 1-C-1, 1-C-2, 1-C-3, 1-D-1, 1-D-2, 1-E-1, 1-E-2, 1-F-1, 1-F-2, 2-A-1, 2-A-2, 2-B-1, 2-B-2, 2-B-3, 2-C-1, 2-C-2 and 2-C-3.
6. The City Attorney is hereby authorized and directed to prepare, commence and prosecute proceedings in eminent domain in the appropriate court to acquire for the City of Elk Grove the property interests described and depicted in Exhibits 1-A-1, 1-A-2, 1-A-3, 1-A-4, 1-B-1, 1-B-2, 1-B-3, 1-C-1, 1-C-2, 1-C-3, 1-D-1, 1-D-2, 1-E-1, 1-E-2, 1-F-1, 1-F-2, 2-A-1, 2-A-2, 2-B-1, 2-B-2, 2-B-3, 2-C-1, 2-C-2 and 2-C-3. The City Attorney is further authorized to take all steps necessary to obtain such orders for immediate possession of the property interests as may be required for the Project.
7. The City's Chief Financial Officer shall disburse all funds required by the City Attorney to make any and all deposits to obtain possession of and title to the Properties including but not limited to deposit of probable amount of compensation pursuant to Code of Civil Procedure section 1255.020.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 13th day of December 2006.


 SOPHIA SCHERMAN, MAYOR PRO TEM
 of the CITY OF ELK GROVE

ATTEST:

 PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

 ANTHONY B. MANZANETTI,
 CITY ATTORNEY

FEE Take Parcel

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Lots 128 as shown on the Plat of "Sheldon Pacific, Unit No. 2", filed in the Office of the Recorder of Sacramento County, California on October 13, 1999 in Book 266 of Maps, at Map No. 5 more particularly described as follows:

Beginning at the Northeast corner of Lot 1 per Book 15 of Maps at Page 13 of said County also lying on the Centerline of Sheldon Road; thence along the North Line of said Lot 1 South 89°45'30" West 442.90 feet or 134.996 meters to the **Point of Beginning**; thence from said **Point of Beginning** along said line of Lot 128 South 00°10'12" East 111.44 feet or 33.967 meters; thence leaving said line along the arc of a curve to the left having a radius of 11741.80 feet or 3578.908 meters, with a chord bearing South 84°40'35" West 102.66 feet or 31.291 meters; thence South 84°12'09" West 25.51 feet or 7.775 meters; thence along the arc of a curve to the right having a radius of 292.42 feet or 89.130 meters, with a chord bearing South 85°12'53" West 18.59 feet or 5.666 meters to the West line of said Lot 128; thence along said West line North 00°08'26" West 73.93 feet or 22.534 meters; North 83°17'04" East 121.47 feet or 37.024 meters; thence North 00°05'04" East 36.85 feet or 11.232 meters to the Centerline of said Sheldon Road and the North line of said Lot 128; thence along said centerline and North line of Lot 128 North 89°45'30" East 25.28 feet or 7.705 meters to the **Point of Beginning**, said area also contains the existing 30 foot Sheldon Road Right of Way as shown on that map titled "Plat of Hewitt Subdivision No. 3" and accepted as public highways and the 54 foot Sheldon Road Right of Way as shown on that map titled "Sheldon Pacific Unit No. 2 recorded in Book 266 of Maps at Page 5.

Together with the following two parcels:

1) A piece of land **Beginning** at the Northeast corner of said Lot 1; thence South 77°16'51" West 297.38 feet or 90.642 meters to a point distance 64.00 feet from said Centerline of Sheldon Road and being on the West line of said Lot 128 to the **Point of Beginning**; thence from said **Point of Beginning** South 89°56'26" East 21.04 feet or 6.413 meters; thence along the arc of a curve to the right having a radius of 25.00 feet or 7.620 meters, with a chord bearing South 44°56'26" East 35.36 feet or 10.778 meters; thence South 00°03'34" West 6.86 feet or 2.091 meters; thence along the arc of a curve to the left having a radius of 11741.80 feet or 3578.908 meters, with a chord bearing South 85°47'10" West 46.04 feet or 14.033 meters to said West line of Lot 128; thence along said West line North 00°08'28" West 35.29 feet or 10.756 meters to the **Point of Beginning**,

2) A piece of land **Beginning** Northwest corner of said Lot 128; thence from said **Point of Beginning** along the North line of said Lot 128 North 89°51'34" East 209.65 feet or 63.901 meters; thence leaving said North line South 13°41'09" West 177.86 feet or 54.212 meters; thence along the arc of a curve to the right having a radius of 293.17 feet or 89.358 meters, with a chord bearing South 16°43'31" West 31.09 feet or 9.476 meters; thence South 19°45'53" West 38.93 feet or 11.866 meters; thence along the arc of a curve to the left having a radius of 421.55 feet or 128.489 meters, with a chord bearing South 18°00'19" West 25.88 feet or 7.888 meters; thence along the arc of a curve to the left having a radius of 1323.25 feet or 403.327 meters, with a chord bearing South 05°53'04" West 156.50 feet or 47.701 meters; thence South 01°23'01" East 63.89 feet or 19.474 meters; thence along the arc of a curve to the left having a radius of 1886.79 feet or 575.095 meters, with a chord bearing South 05°00'55" East 239.01 feet or 72.850 meters to a point on the West line of said Lot 128; thence along said West line North 15°44'14" West 54.97 feet or 16.755 meters; North 10°53'05" West 675.06 feet or 205.759 meters; thence North 15°56'56" West 5.35 feet or 1.631 meters to the **Point of Beginning**,
containing a fee area of 63,940.94 square feet or 1.4679 acres, or 5,940.331 square meters or

FEE Take Parcel

0.594 hectares, more or less; and a fee area from the combined existing Sheldon Road Right of Way documents stated above containing 2,477.58 square feet or 0.0569 acres, or 230.176 square meters or 0.023 hectares, more or less; and a fee area encumbered by an existing 12.5' foot PUE shown in Book 266 R.M. 5 containing 1826.51 square feet or 0.0419 acres, or 169.689 square meters or 0.017 hectares.

Together with all underlying fee, if any, appurtenant to the above-described parcels.

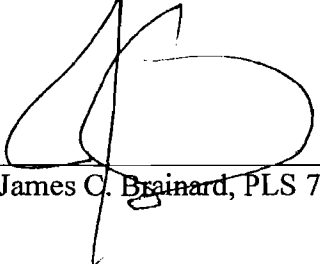
ACCESS Rights

The grantor hereby releases and relinquishes to the grantee any and all rights of access in and to the State Highway over and across the access control line as shown on the attached exhibit A1. This conveyance is made for the purposes of a freeway and the grantor hereby releases and relinquishes to grantee any and all abutter's rights of access, appurtenant to said access control line across grantor's remaining property, in and to said freeway.

The meridian used herein is based upon the California Coordinate System (CCS) Zone II, NAD83, 1991.35. The ground distances used herein are in U.S. Survey Feet and Meters. To obtain grid distances, multiply the ground distances shown herein by the combined factor of 0.99997792.

This real property description has been prepared at R.E.Y. Engineers, Inc., by me or under my direction, in conformance with the Professional Land Surveyors Act.

APN: 116-0030-052


James C. Brainard, PLS 7051



10/25/06
Date

BOOK 266 PAGE 5

Lot 128
APN 116-0030-052

Family Real Property Ltd.

POB N89°51'34"E
209.65' (63.901M)

N15°56'56"W
5.35' (1.631M)

05-08-35
Fee Take

East Stockton Blvd.

N105°53'05"W
675.06' (205.759M)

S13°41'09"W
177.86' (54.212M)
Ch=S16°43'31"W
31.09' (9.476M)
R=293.17'
S19°45'53"W
38.93' (11.866M)
Ch=S18°00'19"W
25.88' (7.888M)
R=421.55' (128.489M)
Ch=S05°53'04"W
156.50' (47.701M)
R=1323.25'
(403.327M)
S01°23'01"E
63.89'
(19.474M)

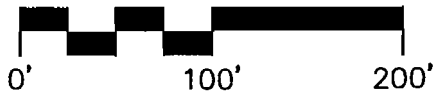
Ch=S05°00'55"E
239.01' (72.850M)
R=1886.79' (575.095M)

N15°44'14"W
54.97' (16.755M)

PARCEL ACREAGES	
ORIGINAL:	7.304
FEE TAKE:	1.468
FEE TAKE EX R/W:	0.057
FEE TAKE EX PUE:	0.042
REMAINDER:	5.737



= Access Control Line
 POB = Point of Beginning
 POC = Point of Commencement
GRAPHIC SCALE



Fee Take encumbered by Existing 12.5 foot PUE of 1,826.51+/- sq.ft., 0.0419+/- acres or 0.017+/- hectares

The meridian shown hereon is based upon the California Coordinate System, Zone 2 (NAD83, 1991.35). To obtain grid distances, multiply the ground distances shown hereon by the combined factor of 0.99997792.

IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
CITY PARCEL 05-08-35 APN 116-0030-052



Scale 1"=100'
Date 08-18-06
Drawn By KS
Checked By JB

PLAT MAP - SHEET 2 OF 2
Fee Take of 63,940.94+/-sq.ft., 1.4679+/- acres, 0.594+/- hectares
Fee Take in Existing Sheldon Road R/W of 2,477.58+/- sq.ft., 0.0569+/- acres or 0.023+/- hectares

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Park & Ride Parcel

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Lots 128 as shown on the Plat of "Sheldon Pacific, Unit No. 2", filed in the Office of the Recorder of Sacramento County, California on October 13, 1999 in Book 266 of Maps, at Map No. 5 more particularly described as follows:

Beginning at the centerline intersection of the proposed East Stockton Boulevard and Cantwell Drive alignment shown on sheet 3 of 5 in Book 266 of Subdivision Maps at Page 5 in said County; thence from said intersection South 64°51'19" West 66.47 feet or 20.260 meters to a point on said proposed Westerly Right of Way alignment of East Stockton Boulevard; thence along said proposed Westerly Right of Way along the arc of a curve to the right having a radius of 458.04 feet or 139.611 meters, with a chord bearing South 33°12'09" West 70.00 feet or 21.336 meters; thence leaving said Westerly Right of Way South 43°29'22" West 224.94 feet or 68.562 meters and the **Point of Beginning**; thence from said **Point of Beginning** South 43°29'23" West 27.24 feet or 8.303 meters to said proposed Westerly Right of Way; thence along said Westerly Right of Way South 44°10'39" West 91.23 feet or 27.807 meters; thence continuing along said Westerly Right of Way along the arc of a curve to the left having a radius of 542.00 feet or 165.202 meters, with a chord bearing South 18°55'14" West 462.52 feet or 140.976 meters; thence along the South line of said Lot 128 South 89°51'34" West 27.68 feet or 8.437 meters; thence along the West line of said Lot 128 the following eight courses: 1) North 15°44'14" West 49.40 feet or 15.057 meters; 2) thence along the arc of a curve to the right having a radius of 1886.79 feet or 575.095 meters, with a chord bearing North 05°00'55" West 239.01 feet or 72.850 meters; 3) thence North 01°23'01" West 63.89 feet or 19.474 meters; 4) thence along the arc of a curve to the right having a radius of 1323.25 feet or 403.327 meters, with a chord bearing North 05°53'04" East 156.50 feet or 47.701 meters; 5) thence along the arc of a curve to the right having a radius of 421.55 feet or 128.489 meters, with a chord bearing North 18°00'19" East 25.88 feet or 7.888 meters; 6) thence North 19°45'53" East 38.93 feet or 11.866 meters; 7) thence along the arc of a curve to the left having a radius of 293.17 feet or 89.358 meters, with a chord bearing North 16°43'31" East 31.09 feet or 9.476 meters; 8) thence North 13°41'09" East 54.45 feet or 16.596 meters; thence leaving said West line South 76°30'03" East 135.27 feet or 41.230 meters; thence South 47°59'51" East 141.62 feet or 43.166 meters to said proposed Westerly Right of Way line and the **Point of Beginning**, Together with all underlying fee, if any, appurtenant to the above-described parcel,

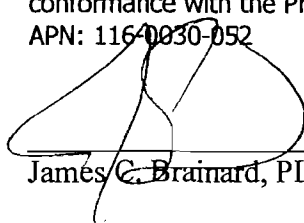
containing 82,827.70 square feet or 0.1.9015 acres; or 7,694.976 square meters or 0.769 hectares, more or less.

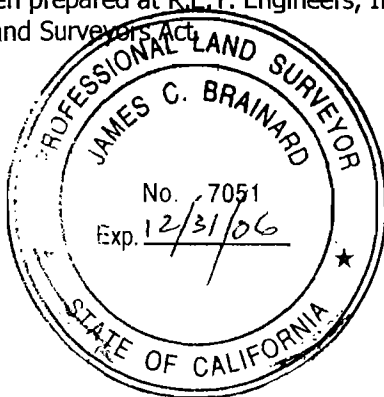
ACCESS Rights

The grantor hereby releases and relinquishes to the grantee any and all rights of access in and to the State Highway over and across the West line of the above described Park & Ride fee take parcel.

The meridian used herein is based upon the California Coordinate System (CCS) Zone II, NAD83, 1991.35. The ground distances used herein are in U.S. Survey Feet and Meters. To obtain grid distances, multiply the ground distances shown herein by the combined factor of 0.99997792.

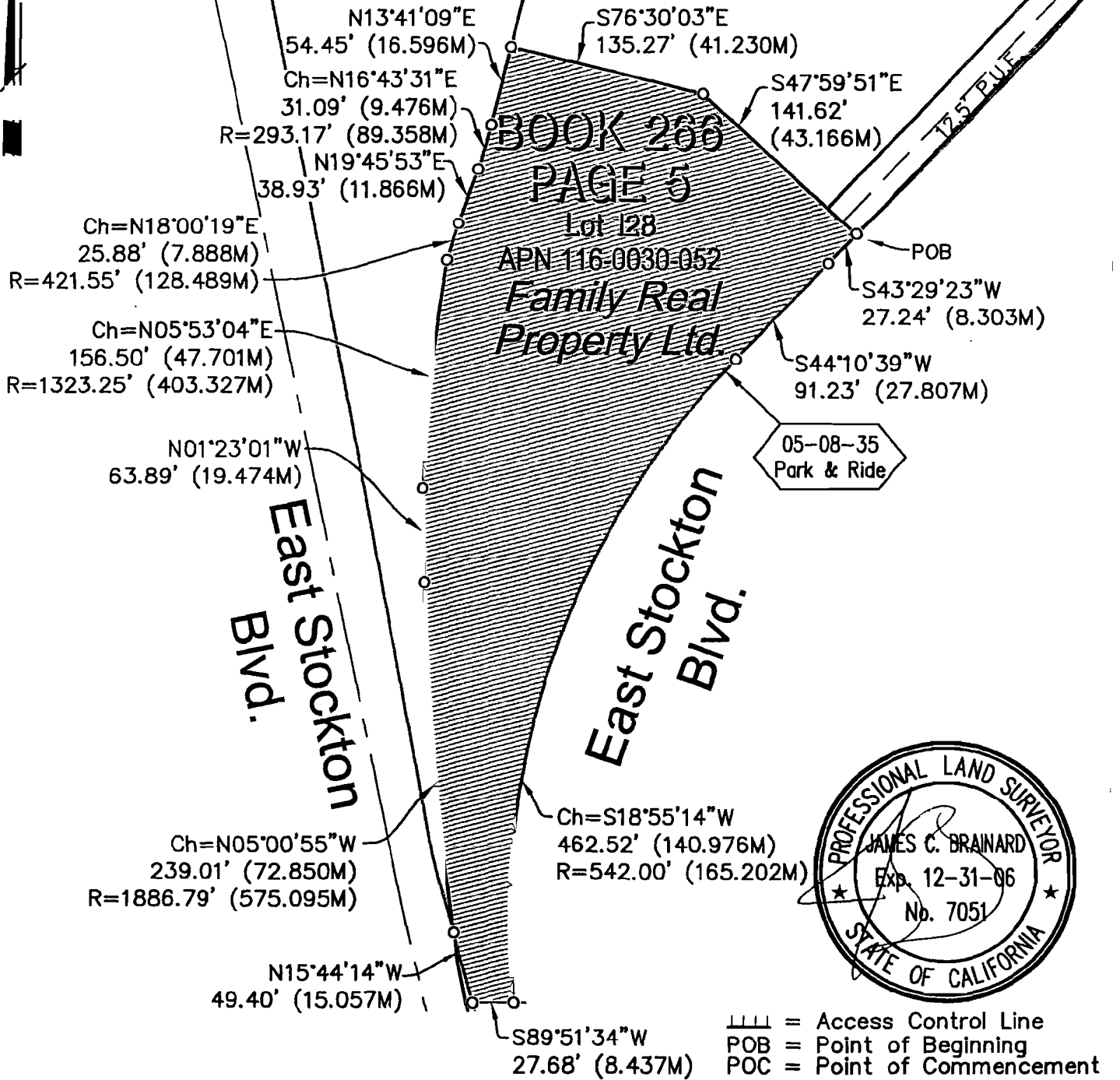
This real property description has been prepared at R.E.Y. Engineers, Inc., by me or under my direction, in conformance with the Professional Land Surveyors Act, APN: 116-0030-052



James C. Brainard, PLS 7051

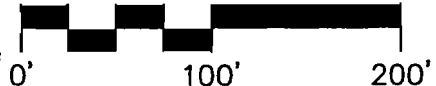


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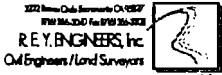


 = Access Control Line
 POB = Point of Beginning
 POC = Point of Commencement



The meridian shown hereon is based upon the California Coordinate System, Zone 2 (NAD83, 1991.35). To obtain grid distances, multiply the ground distances shown hereon by the combined factor of 0.99997792.

IN THE CITY OF ELK GROVE
 SACRAMENTO COUNTY, CALIFORNIA
 CITY PARCEL 05-08-35



Scale 1"=100'
 Date 02-23-06
 Drawn By KS
 Checked By JB

PLAT MAP - SHEET 1 OF 1
 Park and Ride of 82,827.70+/- sq.ft.
 1.9015+/- acres or 0.769+/- hectares
 APN 116-0030-052



Public Utility Easement

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Lots 128 as shown on the Plat of "Sheldon Pacific, Unit No. 2", filed in the Office of the Recorder of Sacramento County, California on October 13, 1999 in Book 266 of Maps, at Map No. 5 more particularly described as follows:

Beginning at the centerline intersection of the proposed East Stockton Boulevard and Cantwell Drive alignment shown on sheet 3 of 5 in Book 266 of Subdivision Maps at Page 5 in said County; thence from said intersection South 64°51'19" West 66.47 feet or 20.260 meters to a point on said proposed Westerly Right of Way alignment of East Stockton Boulevard and the **Point of Beginning**; thence from said **Point of Beginning** along said proposed Westerly Right of Way along the arc of a curve to the right having a radius of 458.04 feet or 139.611 meters, with a chord bearing South 33°12'09" West 70.00 feet or 21.336 meters; thence leaving said Westerly Right of Way South 43°29'22" West 224.94 feet or 68.562 meters; thence North 47°59'51" West 12.50 feet or 3.810 meters; thence North 43°29'22" East 294.13 feet or 89.651 meters to said proposed Westerly Right of Way line and the **Point of Beginning**,

Together with:

Beginning at the Northwest corner of said parcel thence South 00°08'26" East 61.41 feet or 18.718 meters to the **Point of Beginning**; thence from said **Point of Beginning** along the arc of a curve to right having a radius of 279.92 feet or 85.320 meters, with a chord bearing North 85°08'33" East 17.27 feet or 5.264 meters; thence North 84°12'09" East 25.62 feet or 7.809 meters; thence along the arc of a curve to the right having a radius of 11754.30 feet or 3582.718 meters, with a chord bearing of North 84°40'44" East 103.86 feet or 31.657 meters; thence South 00°10'12" East 12.55 feet or 3.825 meters; thence along the arc of a curve to the left with a radius of 11741.80 feet or 3578.908 meters, with a chord bearing South 84°40'35" West 102.66 feet or 31.291 meters; thence South 84°12'09" West 25.51 feet or 7.775 meters; thence along the arc of a curve to the left having a radius of 292.42 feet or 89.130 meters, with a chord bearing South 85°12'53" West 18.59 feet or 5.666 meters; thence North 00°08'26" West 12.52 feet or 3.816 meters to the **Point of Beginning**,

Together with:

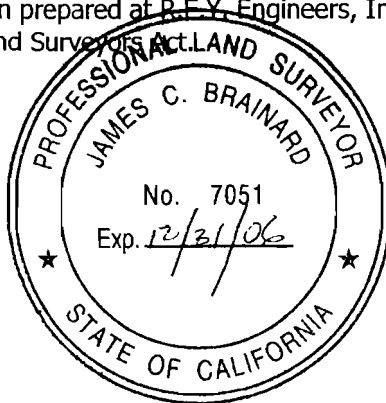
Beginning at the Northeast corner of said parcel common to APN 116-0030-003, thence South 00°08'28" East 87.00 feet or 26.518 meters to the **Point of Beginning**; thence from said **Point of Beginning** along the arc of a curve to the right having a radius of 11754.30 feet or 3582.718 meters, with a chord bearing North 85°47'21" East 45.44 feet or 13.850 meters; thence along the arc of a curve to the right having a radius of 25.00 feet or 7.620 meters, with a chord bearing South 06°26'50" East 5.67 feet or 1.728 meters; thence South 00°03'34" West 6.86 feet or 2.091 meters; thence along the arc of a curve to the left having a radius of 11741.80 feet or 3578.908 meters, with a chord bearing South 85°47'10" West 46.04 feet or 14.033 meters; thence North 00°08'28" West 12.53 feet or 3.819 meters to the **Point of Beginning**,

containing 5,715.78 square feet or 0.1312 acres; or 531.015 square meters or 0.053 hectares, more or less.

The meridian used herein is based upon the California Coordinate System (CCS) Zone II, NAD83, 1991.35. The ground distances used herein are in U.S. Survey Feet and Meters. To obtain grid distances, multiply the ground distances shown herein by the combined factor of 0.99997792.

This real property description has been prepared at R.F.Y. Engineers, Inc., by me or under my direction, in conformance with the Professional Land Surveyors Act. APN: 116-0030-052

James C. Brainard, PLS 7051



10/25/06
Date

APN 116-0030-001

APN 116-0030-003

BOOK 266 PAGE 5

Lot 128

APN 116-0030-052

Family Real Property Ltd.

10' Sewer Esmt.

East Stockton Blvd.

POB
Ch=S33°12'09"W
70.00' (21.336M)
R=458.04'
(139.611M)

05-08-35
P.U.E.

N43°29'22"E
294.13' (89.651M)

S43°29'22"W
224.94' (68.562M)

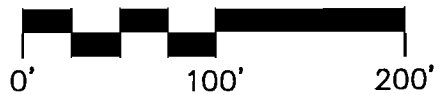
N47°59'51"W
12.50' (3.810M)
POB

East Stockton Blvd.



||| = Access Control Line
POB = Point of Beginning
POC = Point of Commencement

GRAPHIC SCALE



The meridian shown hereon is based upon the California Coordinate System, Zone 2 (NAD83, 1991.35). To obtain grid distances, multiply the ground distances shown hereon by the combined factor of 0.99997792.

IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
CITY PARCEL 05-08-35



Scale 1"=100'
Date 02-23-06
Drawn By KS
Checked By JB

PLAT MAP - SHEET 1 OF 2
Public Utility Easement of 5,715.78+/- sq.ft.
0.1312+/- acres or 0.053+/- hectares
APN 116-0030-052



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Sheldon Road

05-08-35
P.U.E.

Ch=N85°47'21"E
45.44' (13.850M)
R=11754.30' (3582.718M)
Ch=S06°26'50"E
5.67' (1.728M)
R=25.00' (7.620M)
S00°03'34"W
6.86' (2.091M)
Ch=S85°47'10"W
46.04' (14.033M)
R=11741.80' (3578.908M)
N00°08'28"W
12.53' (3.819M)

N84°12'09"E
25.62' (7.809M)
Ch=N85°08'33"E
17.27' (5.264M)
R=279.92' (85.320M)
N00°08'26"W
12.52' (3.816M)
Ch=S85°12'53"W
18.59' (5.666M)
R=292.42' (89.130M)
S84°12'09"W
25.51' (7.775M)
Ch=N84°40'44"E
103.86' (31.657M)
R=11754.30'
(3582.718M) POB
S00°10'12"E
12.55' (3.825M)
Ch=S84°40'35"W
102.66' (31.291M)
R=11741.80'
(3578.908M)

05-08-35
P.U.E.

APN 118-0030-001

APN 118-0030-003

East Stockton
Blvd.

BOOK 266
PAGE 5

Lot 128
APN 116-0030-052

Family Real Property Ltd.

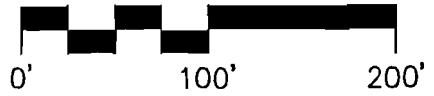
10' Sewer Esmt.

12.5' P.U.E.



- ||| = Access Control Line
- POB = Point of Beginning
- POC = Point of Commencement

GRAPHIC SCALE



The meridian shown hereon is based upon the California Coordinate System, Zone 2 (NAD83, 1991.35). To obtain grid distances, multiply the ground distances shown hereon by the combined factor of 0.99997792.

3222 River Oaks Sacramento, CA 95827
916-486-0340 Fax 916-486-3333
R.E.Y. ENGINEERS, Inc.
Civil Engineers / Land Surveyors



IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
CITY PARCEL 05-08-35



Scale 1"=100'
Date 02-23-06
Drawn By KS
Checked By JB

PLAT MAP - SHEET 2 OF 2
Public Utility Easement of 5,715.78+/- sq.ft.
0.1312+/- acres or 0.053+/- hectares
APN 116-0030-052

s:\001011 Sheldon Interchange\116-0030-052-PUE-2.dwg, 10/24/2006 8:59:03 AM

EXHIBIT 1-B-3
(Public Utility Easement)

An EASEMENT for PUBLIC UTILITY PURPOSES for the installation, construction, use, repair and maintenance of electroliers, traffic control devises, water, sewer, gas and drainage pipes and poles, and overhead and underground wires and conduits for electrical, communications and television services, together with any and all appurtenances pertaining thereto, on, over, under and across all that real property owned by OWNER(S) and situated within the City of Elk Grove ("CITY"), County of Sacramento, State of California described herein in Exhibit 1-B-1 and delineated herein on Exhibit 1-B-2.

The CITY may move and/or remove any existing structures or improvements. The CITY shall replace "in like kind" or restore such structures or improvements upon completion of construction and/or maintenance activities unless such restoration or replacement interferes with the operation and maintenance of said public utilities.

Without limiting the CITY's rights granted herein, the CITY may also trim such tree foliage and cut such limbs and roots on said property as may be necessary for the protection of said public utilities.

OWNER(S) shall not erect or construct any building or other permanent structure or drill or operate any well within said easement.

Temporary Construction Easement

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Lots 128 as shown on the Plat of "Sheldon Pacific, Unit No. 2", filed in the Office of the Recorder of Sacramento County, California on October 13, 1999 in Book 266 of Maps, at Map No. 5 more particularly described as follows:

Beginning at the Northeast corner of Lot 1 per Book 15 of Maps at Page 13 of said County also lying on the Centerline of Sheldon Road; thence along the North Line of said Lot 1 South 89°45'30" West 442.90 feet or 134.996 meters to the Northeast corner of said Lot 128; thence along the East line of said Lot 128 South 00°10'12" East 124.11 feet or 37.829 meters to the **Point of Beginning**; thence from said **Point of Beginning** leaving said West line of Lot 128 along the arc of a curve to the left having a radius of 8599.45 feet or 2621.118 meters, with a chord bearing South 84°27'19" West 75.91 feet or 23.137 meters; thence South 84°12'09" West 51.19 feet or 15.603 meters; thence South 05°47'51" East 21.98 feet or 6.700 meters; thence South 84°12'09" West 21.30 feet or 6.492 meters; thence North 01°05'36" West 19.75 feet or 6.020 meters; thence North 05°47'51" West 2.91 feet or 0.887 meters to the West line of said Lot 128; thence along said West line North 00°08'26" West 12.90 feet or 3.932 meters; thence leaving said West line along the arc of a curve to the left having a radius of 292.42 feet or 89.130 meters, with a chord bearing North 85°12'53" East 18.59 feet or 5.666 meters; thence North 84°12'09" East 25.51 feet or 7.775 meters; along the arc of a curve to the right having a radius of 11741.80 feet or 3578.908 meters, with a chord bearing North 84°40'35" East 102.66 feet or 31.291 meters to the East line of said Lot 128; thence along said East line South 00°10'12" East 12.67 feet or 3.862 meters to the **Point of Beginning**,

Together with the following two parcels:

1) A piece of land **Beginning** at the Northeast corner of said Lot 1; thence South 77°16'51" West 297.38 feet or 90.642 meters to a point distance 64.00 feet from said Centerline of Sheldon Road and being on the West line of said Lot 128; thence along said West line South 00°08'28" East 35.29 feet or 10.756 meters to the **Point of Beginning**; thence from said **Point of Beginning** leaving said West line along the arc of a curve to the right having a radius of 11741.80 feet or 3578.908 meters, with a chord bearing North 85°47'10" East 46.04 feet or 14.033 meters; thence South 00°03'34" West 12.53 feet or 3.819 meters; thence along the arc of a curve to the left having a radius of 8599.45 feet or 2621.118 meters, with a chord bearing South 85°52'53" West 46.00 feet or 14.021 meters to the West line of said Lot 128; thence along said West line North 00°08'28" West 12.45 feet or 3.795 meters to the **Point of Beginning**,

2) A piece of land **Beginning** at the centerline intersection of the proposed East Stockton Boulevard and Cantwell Drive alignment shown on sheet 3 of 5 in Book 266 of Subdivision Maps at Page 5 in said County; thence from said intersection South 89°56'45" West 45.90 feet or 13.990 meters to a point on said proposed Westerly Right of Way alignment of East Stockton Boulevard and the **Point of Beginning**; thence from said **Point of Beginning** along said proposed Westerly Right of Way along the arc of a curve to the right having a radius of 458.04 feet or 139.611 meters, with a chord bearing South 31°13'31" West 101.47 feet or 30.928 meters; thence leaving said Westerly Right of Way South 43°29'22" West 224.94 feet or 68.562 meters; thence North 47°59'51" West 26.26 feet or 8.004 meters; thence North 43°29'23" East 301.51 feet or 91.900 meters; thence North 47°47'03" West 15.73 feet or 4.795 meters to a line on Lot 128; thence along said line North 89°51'34" East 20.06 feet or 6.114 meters; thence continuing along said line North 00°08'28" West 13.04 feet or 3.975 meters; thence leaving said line South 47°47'03" East 14.90 feet or 4.542 meters to said proposed Westerly Right of Way line and the **Point of Beginning**,

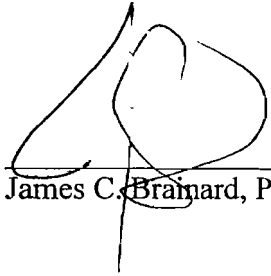
Temporary Construction Easement

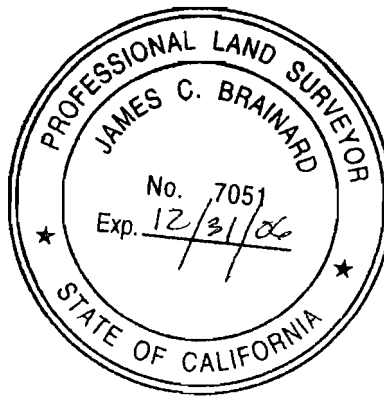
containing 10,729.27 square feet or 0.2463 acres; or 996.786 square meters or 0.100 hectare, more or less.

The meridian used herein is based upon the California Coordinate System (CCS) Zone II, NAD83, 1991.35. The ground distances used herein are in U.S. Survey Feet and Meters. To obtain grid distances, multiply the ground distances shown herein by the combined factor of 0.99997792.

This real property description has been prepared at R.E.Y. Engineers, Inc., by me or under my direction, in conformance with the Professional Land Surveyors Act.

APN: 116-0030-052


James C. Brainard, PLS 7051

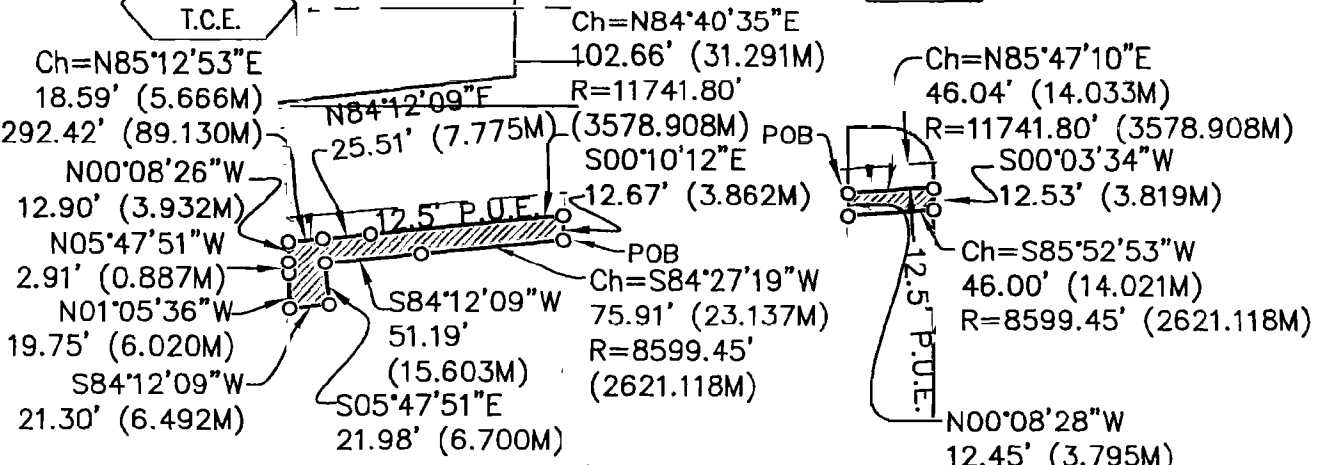


10/25/06
Date

Sheldon Road

05-08-35
T.C.E.

05-08-35
T.C.E.



APN 116-0030-001

APN 116-0030-003

East
Stockton
Blvd.

BOOK 266

PAGE 5

Lot 128

APN 116-0030-052

Family Real Property Ltd.

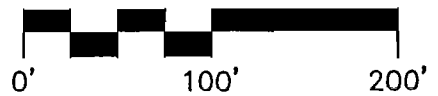
10' Sewer Esmt.

12.5' P.U.E.



- |||| = Access Control Line
- POB = Point of Beginning
- POC = Point of Commencement

GRAPHIC SCALE



The meridian shown hereon is based upon the California Coordinate System, Zone 2 (NAD83, 1991.35). To obtain grid distances, multiply the ground distances shown hereon by the combined factor of 0.99997792.

2221 Howe Drive, Sacramento, CA 95827
916-355-3040 Fax 916-355-3233
R.E.Y. ENGINEERS, Inc.
Civil Engineers / Land Surveyors



IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
CITY PARCEL 05-08-35



Scale 1"=100'
Date 02-23-06
Drawn By KS
Checked By JB

PLAT MAP - SHEET 1 OF 2
Temporary Construction Easement of 10,729.27 +/- sq.ft.
0.2463 +/- acres or 0.100 +/- hectares
APN 116-0030-052

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East Stockton Blvd.

APN 116-0030-001

APN 116-0030-003

BOOK 266
PAGE 5

Lot 128

APN 116-0030-052

Family Real Property Ltd.

N00°08'28"W
13.04' (3.975M)

N89°51'34"E
20.06' (6.114M)

N47°47'03"W
15.73' (4.795M)

10' Sewer Esmt.

N43°29'23"E 301.51' (91.900M)

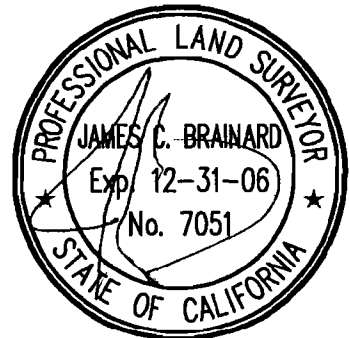
S43°29'22"W
224.94' (68.562M)

S47°47'03"E
14.90' (4.542M)
POB

Ch=S31°13'31"W
101.47' (30.928M)
R=458.04' (139.611M)

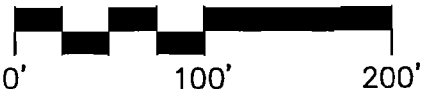
05-08-35
T.C.E.

N47°59'51"W
26.26' (8.004M)



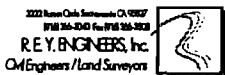
- ||| = Access Control Line
- POB = Point of Beginning
- POC = Point of Commencement

GRAPHIC SCALE



The meridian shown hereon is based upon the California Coordinate System, Zone 2 (NAD83, 1991.35). To obtain grid distances, multiply the ground distances shown hereon by the combined factor of 0.99997792.

IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
CITY PARCEL 05-08-35



Scale 1"=100'
Date 02-23-06
Drawn By KS
Checked By JB

PLAT MAP - SHEET 2 OF 2
Temporary Construction Easement of 10,729.27+/- sq.ft.
0.2463+/- acres or 0.100+/- hectares
APN 116-0030-052



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EXHIBIT 1-C-3
(Temporary Construction Easement)

A TEMPORARY CONSTRUCTION EASEMENT (“EASEMENT”) for the purpose of public use, construction, reconstruction, installation, improvement, repair, inspection, expansion and maintenance of public right-of-ways, highways, roadways, services, utilities, landscape improvements, and necessary appurtenant structures, on, over, and under all that real property situated in the City of Elk Grove (“CITY”), County of Sacramento, State of California, described herein in Exhibit 1-C-1 and delineated herein on Exhibit 1-C-2.

CITY may move and/or remove any existing structures or improvements but shall replace “in like kind” or restore such structures or improvements prior to the EASEMENT’s termination. Access to any improved parcels shall not be totally impaired and at least one-half of all driveways shall remain unobstructed at all times. City may re-grade the underlying property to conform to the grade of the street frontage.

The EASEMENT shall extend for a period of thirty (30) months commencing on the date ordered by the Court.

Portion of Old East Stockton Boulevard to Elk Grove Church of Christ

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Lots 128 as shown on the Plat of "Sheldon Pacific, Unit No. 2", filed in the Office of the Recorder of Sacramento County, California on October 13, 1999 in Book 266 of Maps, at Map No. 5 more particularly described as follows:

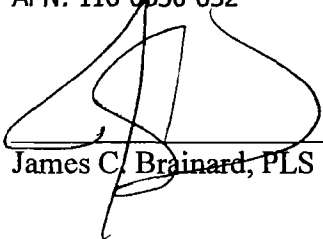
Beginning at the centerline intersection of East Stockton Boulevard and Cantwell Drive alignment shown on sheet 3 of 5 in Book 266 of Subdivision Maps at Page 5 in said County; thence from said intersection North 20°45'54" East 31.30 feet or 9.540 meters to a point on the proposed new Westerly Right of Way of East Stockton Boulevard and the **Point of Beginning**; thence from said **Point of Beginning** along said proposed new Westerly Right of Way along the arc of a curve to the left having a radius of 474.11 feet or 144.509 meters, with a chord bearing South 42°21'09" West 18.82 feet or 5.736 meters; thence South 43°29'22" West 41.19 feet or 12.555 meters, thence leaving said new Westerly Right of Way North 47°47'03" West 21.56 feet or 6.572 meters to the old Westerly Right of Way of East Stockton Boulevard; thence along said old Westerly Right of Way along the arc of a curve to the left having a radius of 458.04 feet or 139.611 meters, with a chord bearing North 20°49'57" East 64.44 feet or 19.641 meters; thence leaving said old Westerly Right of Way South 47°47'03" East 46.01 feet or 14.024 meters to the **Point of Beginning**,

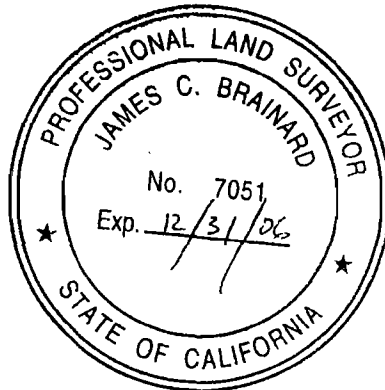
containing 1987.28 square feet or 0.0456 acres; or 184.625 square meters or 0.018 hectares, more or less.

Together with all underlying fee, if any, appurtenant to the above-described parcel. Also abandoning any right of way or easements over and across the above described parcel. reserved for East Stockton Boulevard alignment shown on said map recorded in Book 266 of subdivision maps at page 5.

The meridian used herein is based upon the California Coordinate System (CCS) Zone II, NAD83, 1991.35. The ground distances used herein are in U.S. Survey Feet and Meters. To obtain grid distances, multiply the ground distances shown herein by the combined factor of 0.99997792.

This real property description has been prepared at R.E.Y. Engineers, Inc., by me or under my direction, in conformance with the Professional Land Surveyors Act.
APN: 116-0030-052


James C. Brainard, PLS 7051



10/25/06
Date

Sheldon Road

East Stockton Blvd.

APN 116-0030-001

BOOK 266

PAGE 5

Lot 128

APN 116-0030-052

Family Real Property Ltd.

S47°47'03"E
46.01' (14.024M)
APN 116-0030-003

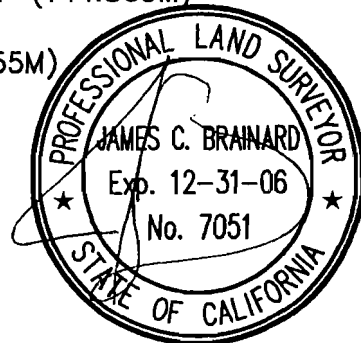
Ch=N20°49'57"E
64.44' (19.641M)
R=458.04' (139.611M)
POB

10' Sewer Esmt.

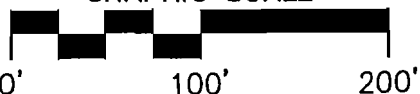
05-08-35
FEE TAKE

Ch=S42°21'09"W
18.82' (5.736M)
R=474.11' (144.509M)

S43°29'22"W
41.19' (12.555M)
LN47°47'03"W
21.56' (6.572M)



||| = Access Control Line
POB = Point of Beginning
POC = Point of Commencement
GRAPHIC SCALE



The meridian shown hereon is based upon the California Coordinate System, Zone 2 (NAD83, 1991.35). To obtain grid distances, multiply the ground distances shown hereon by the combined factor of 0.99997792.

IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
CITY PARCEL 05-08-35



Scale 1"=100'
Date 03-09-06
Drawn By KS
Checked By JB

PLAT MAP - SHEET 1 OF 1
Fee Take of 1,987.28+/- sq.ft.
0.0456+/- acres or 0.018+/- hectares
EAST STOCKTON BLVD. RIGHT OF WAY PER MAP 266 PAGE 5



FEE TAKE PARCEL

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Lots 128 as shown on the Plat of "Sheldon Pacific, Unit No. 2", filed in the Office of the Recorder of Sacramento County, California on October 13, 1999 in Book 266 of Maps, at Map No. 5 more particularly described as follows:

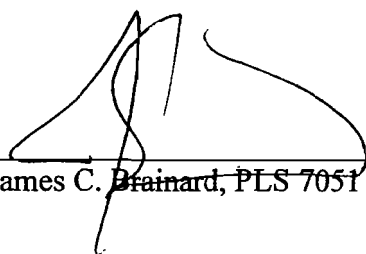
A piece of land **Beginning** at the centerline intersection of the proposed East Stockton Boulevard and Cantwell Drive alignment shown on sheet 3 of 5 in Book 266 of Subdivision Maps at Page 5 in said County; thence from said intersection South 89°56'45" West 45.90 feet or 13.990 meters to a point on said proposed Westerly Right of Way alignment of East Stockton Boulevard and the **Point of Beginning**; thence from said **Point of Beginning** leaving said proposed Westerly Right of Way North 47°47'03" West 14.90 feet or 4.542 meters to a point on the West line of Lot 128; thence along said West line North 00°08'28" West 81.19 feet or 24.747 meters; thence leaving said West line South 47°47'03" East 46.11 feet or 14.054 meters to said proposed Westerly Right of Way; thence along said Westerly Right of Way line along the arc of a curve to the right having a radius of 458.04 feet or 139.611 meters, with a chord bearing South 20°49'57" West 64.44 feet or 19.641 meters to the **Point of Beginning**,

containing an area of 1879.02 square feet or 0.0430 acres; or 174.567 square meters or 0.017 hectares more or less.

Together with all underlying fee, if any, appurtenant to the above-described parcel.

The meridian used herein is based upon the California Coordinate System (CCS) Zone II, NAD83, 1991.35. The ground distances used herein are in U.S. Survey Feet and Meters. To obtain grid distances, multiply the ground distances shown herein by the combined factor of 0.99997792.

This real property description has been prepared at R.E.Y. Engineers, Inc., by me or under my direction, in conformance with the Professional Land Surveyors Act.
APN: 116-0030-052


James C. Brainard, PLS 7051



10/26/06
Date

Sheldon Road

APN 116-0030-001

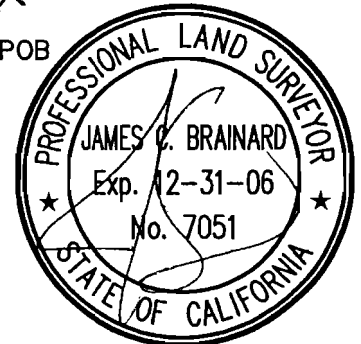
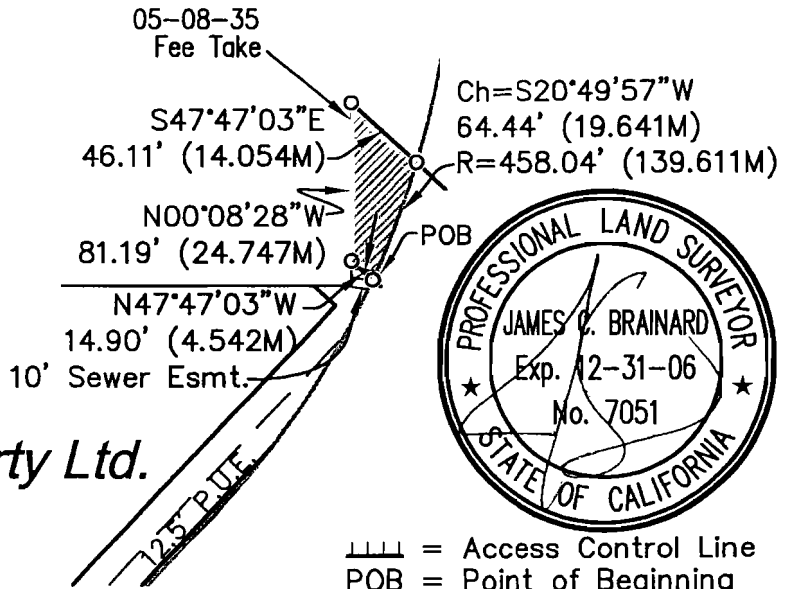
APN 116-0030-003

East Stockton Blvd.

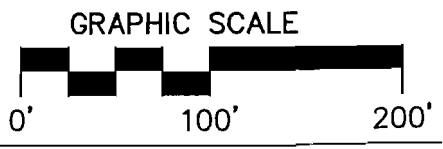
BOOK 266
PAGE 5

Lot 128
APN 116-0030-052

Family Real Property Ltd.



- |||| = Access Control Line
- POB = Point of Beginning
- POC = Point of Commencement



The meridian shown hereon is based upon the California Coordinate System, Zone 2 (NAD83, 1991.35). To obtain grid distances, multiply the ground distances shown hereon by the combined factor of 0.99997792.

IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
CITY PARCEL 05-08-35

Scale 1"=100'
Date 08-21-06
Drawn By KS
Checked By JB

PLAT MAP - SHEET 1 OF 1
Fee Take of 1879.02+/- sq. ft.
0.0430+/- acres, 0.017 +/- hectares
APN 116-0030-052



5:\8010\001 Sheldon Interchange\116-0030-052-I-FEE Take.dwg, 10/23/2006 3:11:30 PM

Total Remainder

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

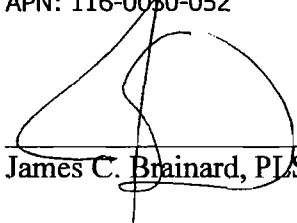
Lots 128 as shown on the Plat of "Sheldon Pacific, Unit No. 2", filed in the Office of the Recorder of Sacramento County, California on October 13, 1999 in Book 266 of Maps, at Map No. 5 more particularly described as follows:

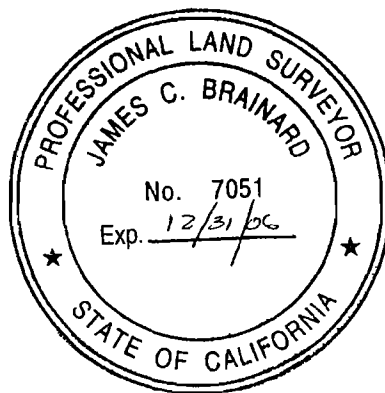
Remainder - Beginning at the Northwest corner of Lot 128 said point being located on the East line of Assessors Parcel Number 116-0030-003 and also being located on the new Southerly right of way of Sheldon Road; thence from said **Point of Beginning** along said new South Right of Way along the arc of a curve to the right having a radius of 11741.80 feet or 3578.908 meters, with a chord bearing North 85°47'10" East 46.04 feet or 14.033 meters; thence along the West Right of Way of the old East Stockton Boulevard shown on said map South 00°03'34" West 158.14 feet or 48.201 meters; thence South 00°40'32" East 200.08 feet or 60.985 meters; thence along the arc of a curve to the right having a radius of 458.04 feet or 139.611 meters, with a chord bearing South 13°14'15" West 56.91 feet or 17.346 meters; thence leaving said West Right of Way North 47°47'03" West 46.11 feet or 14.054 meters to the West line of said Lot 128 adjoining APN 116-0030-003; thence along said West line North 00°08'28" West 379.24 feet or 115.593 meters to the **Point of Beginning**, **Remainder Area:** containing 18,165.06 square feet or 0.4170 acres; or 1,687.596 square meters or 0.169 hectares, more or less.

Together with all underlying fee, if any, appurtenant to the above described parcels.

The meridian used herein is based upon the California Coordinate System (CCS) Zone II, NAD83, 1991.35. The ground distances used herein are in U.S. Survey Feet and Meters. To obtain grid distances, multiply the ground distances shown herein by the combined factor of 0.99997792.

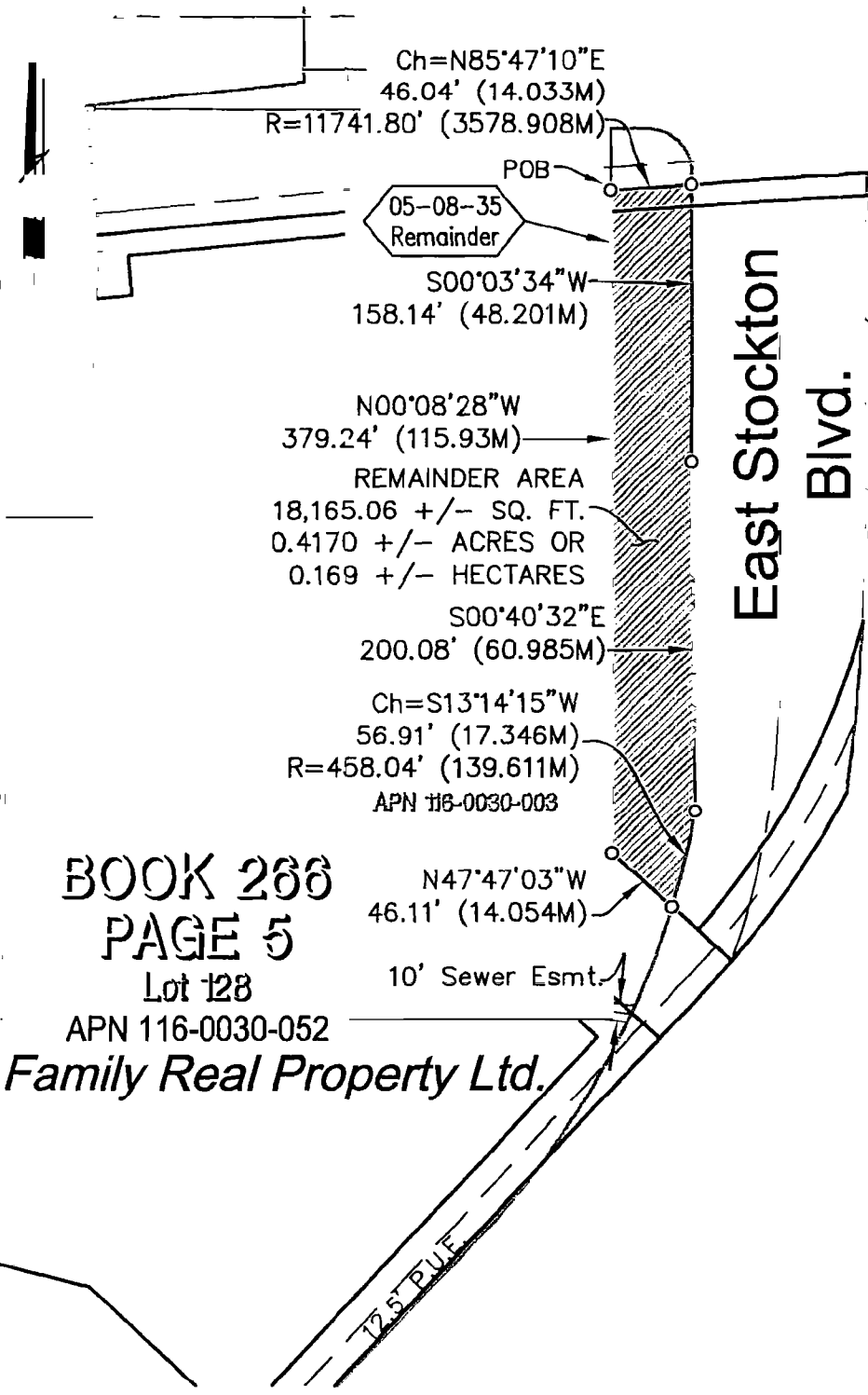
This real property description has been prepared at R.E.Y. Engineers, Inc., by me or under my direction, in conformance with the Professional Land Surveyors Act.
APN: 116-0030-052


James C. Brainard, PLS 7051



10/25/06
Date

Sheldon Road



Ch=N85°47'10"E
46.04' (14.033M)
R=11741.80' (3578.908M)

POB
05-08-35
Remainder

S00°03'34"W
158.14' (48.201M)

N00°08'28"W
379.24' (115.93M)

REMAINDER AREA
18,165.06 +/- SQ. FT.
0.4170 +/- ACRES OR
0.169 +/- HECTARES

S00°40'32"E
200.08' (60.985M)

Ch=S13°14'15"W
56.91' (17.346M)
R=458.04' (139.611M)
APN 116-0030-003

N47°47'03"W
46.11' (14.054M)

10' Sewer Esmt.

BOOK 266
PAGE 5

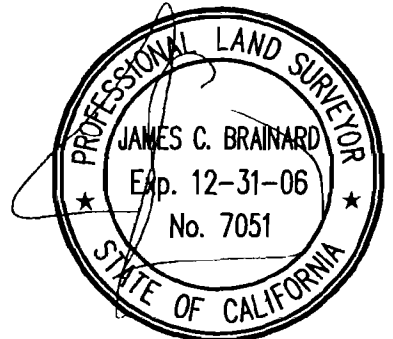
Lot 128

APN 116-0030-052

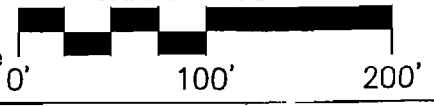
Family Real Property Ltd.

East Stockton Blvd.

12.5' P.U.F.

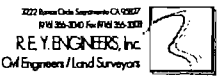


||| = Access Control Line
POB = Point of Beginning
POC = Point of Commencement
GRAPHIC SCALE



The meridian shown hereon is based upon the California Coordinate System, Zone 2 (NAD83, 1991.35). To obtain grid distances, multiply the ground distances shown hereon by the combined factor of 0.99997792.

IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
A PORTION OF CITY PARCEL 05-08-35



Scale 1"=100'
Date 03-08-06
Drawn By KS
Checked By JB

PLAT MAP - SHEET 1 OF 1
Remainder of 18,165.06 +/- sq.ft.
0.4170 +/- acres or 0.169 +/- hectares
APN 116-0030-052



C:\Users\jbr\Documents\116-0030-052-REL-H.dwg, 10/24/2006 9:11:02 AM

FEE Take Parcel

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Lots 127 as shown on the Plat of "Sheldon Pacific, Unit No. 2", filed in the Office of the Recorder of Sacramento County, California on October 13, 1999 in Book 266 of Maps, at Map No. 5 more particularly described as follows:

Beginning at a point on the Northerly line of said Lot 127 said point being the end of a 25.00 foot radius curve meeting a 375.00 foot radius curve; thence from said **Point of Beginning** along said North line of Lot 127 along the arc of a curve to the left having a radius of 375.00 feet or 114.300 meters, with a chord bearing South 72°29'04" East 16.55 feet or 5.044 meters; thence leaving said North line along the arc of a curve to the left having a radius of 26.25 feet or 8.001 meters, with a chord bearing South 74°56'45" West 27.28 feet or 8.315 meters; thence South 43°38'28" West 77.26 feet or 23.549 meters to the West line of said Lot 127; thence along said West line along the arc of a curve to the left having a radius of 542.00 feet or 165.202 meters, with a chord bearing North 31°03'59" East 65.26 feet or 19.891 meters; thence along the arc of a curve to the right having a radius of 25.00 feet or 7.620 meters, with a chord bearing North 68°11'52" East 32.53 feet or 9.915 meters to the **Point of Beginning**,

Together with a piece of land **Beginning** at the Northeast corner of said Lot 127 thence South 64°37'15" West 561.23 feet or 171.063 meters to the **Point of Beginning**; thence from said **Point of Beginning** North 46°21'32" West 1.63 feet or 0.497 meters to the West line of said Lot 127; thence along said West line North 44°10'39" East 27.89 feet or 8.501 meters; thence leaving said West line South 46°21'32" East 1.37 feet or 0.418 meters; thence South 43°38'28" West 27.89 feet or 8.501 meters to the **Point of Beginning**,

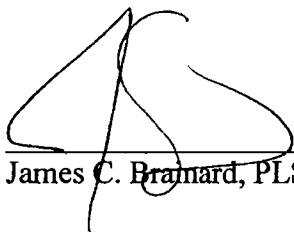
Together with all underlying fee, if any, appurtenant to the above-described parcel.

containing 849.42 square feet or 0.0195 acres; or 78.914 square meters or 0.008 hectares, more or less.

The meridian used herein is based upon the California Coordinate System (CCS) Zone II, NAD83, 1991.35. The ground distances used herein are in U.S. Survey Feet and Meters. To obtain grid distances, multiply the ground distances shown herein by the combined factor of 0.99997792.

This real property description has been prepared at R.E.Y. Engineers, Inc., by me or under my direction, in conformance with the Professional Land Surveyors Act.

APN: 116-0030-053


James C. Brainard, PLS 7051



10/25/06
Date

Cantwell Drive

Ch=N68°11'52"E
32.53' (9.915M)
R=25.00' (7.620M)

Ch=N31°03'59"E
65.26' (19.891M)
R=542.00' (165.202M)

POB

Ch=S72°29'04"E
16.55' (5.044M)
R=375.00' (114.300M)
Ch=S74°56'45"W
27.28' (8.315M)
R=26.25' (8.001M)
S43°38'28"W
77.26' (23.549M)

APN 116-0030-052

East Stockton Blvd.

05-08-33
Fee Take

S46°21'32"E
1.37' (0.418M)
S43°38'28"W
27.89' (8.501M)

POB

N46°21'32"W
1.63' (0.497M)

05-08-33
Fee Take

N44°10'39"E
27.89' (8.501M)

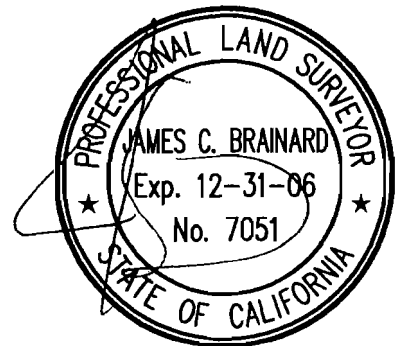
12.5' P.U.E.

BOOK 266
PAGE 5

Lot 127

APN 116-0030-053

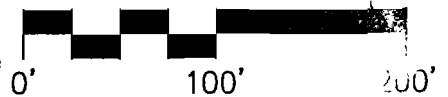
Family Real Property Ltd.



PARCEL ACREAGES	
ORIGINAL:	10.369
FEE TAKE:	0.020
REMAINDER:	10.349

POB = Point of Beginning
POC = Point of Commencement

GRAPHIC SCALE



The meridian shown hereon is based upon the California Coordinate System, Zone 2 (NAD83, 1991.35). To obtain grid distances, multiply the ground distances shown hereon by the combined factor of 0.99997792.

APN 116-0030-020

IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
CITY PARCEL 05-08-33



Scale 1"=100'
Date 02-23-06
Drawn By KS
Checked By JB

PLAT MAP - SHEET 1 OF 1
Fee Take of 849.42+/- sq.ft.
0.0195+/- acres or 0.008+/- hectares
APN 116-0030-053

10/23/2006 2:36:19 PM

Public Utility Easement

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Lots 127 as shown on the Plat of "Sheldon Pacific, Unit No. 2", filed in the Office of the Recorder of Sacramento County, California on October 13, 1999 in Book 266 of Maps, at Map No. 5 more particularly described as follows:

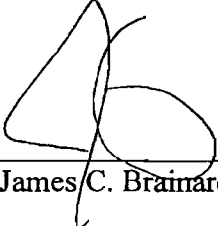
Beginning at a point on the Northerly line of said Lot 127 said point being the end of a 25.00 foot radius curve meeting a 375.00 foot radius curve; thence South $72^{\circ}02'34''$ East 14.64 feet or 4.462 meters to the **Point of Beginning**; thence from said **Point of Beginning** South $43^{\circ}38'28''$ West 373.01 feet or 113.694 meters; thence South $44^{\circ}31'54''$ West 109.38 feet or 33.339 meters; thence along the arc of a curve to the left having a radius of 449.63 feet or 137.072 meters, with a chord bearing South $43^{\circ}26'00''$ West 17.64 feet or 5.377 meters; thence South $39^{\circ}04'14''$ West 112.65 feet or 34.336 meters; thence along the arc of a curve to the left having a radius of 457.32 feet or 139.391 meters, with a chord bearing South $10^{\circ}23'31''$ West 277.77 feet or 84.664 meters to the South line of said Lot 127; thence along said South line South $89^{\circ}51'34''$ West 12.60 feet or 3.840 meters; thence along the arc of a curve to the right having a radius of 469.82 feet or 143.201 meters, with a chord bearing North $10^{\circ}33'41''$ East 285.02 feet or 86.874 meters; thence North $39^{\circ}04'14''$ East 114.20 feet or 34.808 meters; thence along the arc of a curve to the right having a radius of 462.13 feet or 140.858 meters, with a chord bearing North $43^{\circ}23'55''$ East 18.28 feet or 5.572 meters; thence North $44^{\circ}31'57''$ East 109.39 feet or 33.342 meters; thence North $43^{\circ}38'28''$ East 14.47 feet or 4.410 meters; thence South $46^{\circ}21'32''$ East 6.89 feet or 2.100 meters; thence North $43^{\circ}38'28''$ East 27.89 feet or 8.501 meters; thence North $46^{\circ}21'32''$ West 6.89 feet or 2.100 meters; thence North $43^{\circ}38'28''$ East 308.30 feet or 93.970 meters; thence along the arc of a curve to the right having a radius of 26.25 feet or 8.001 meters, with a chord bearing North $72^{\circ}50'49''$ East 25.62 feet or 7.809 to the **Point of Beginning**,

containing 10972.76 square feet or 0.2519 acres; or 1019.407 square meters or 0.102 hectares, more or less.

The meridian used herein is based upon the California Coordinate System (CCS) Zone II, NAD83, 1991.35. The ground distances used herein are in U.S. Survey Feet and Meters. To obtain grid distances, multiply the ground distances shown herein by the combined factor of 0.99997792.

This real property description has been prepared at R.E.Y. Engineers, Inc., by me or under my direction, in conformance with the Professional Land Surveyors Act.

APN: 116-0030-053


James C. Brainard, PLS 7051



10/25/06
Date

Cantwell
Driv

Ch=N72°50'49"E
25.62' (7.809M)
R=26.25' (8.001M)

APN 116-0030-052

East
Stockton
Blvd.

05-08-33
P.U.E.

S43°38'28"W
373.01' (113.694M)

N43°38'28"E
14.47' (4.410M)
N44°31'57"E

N46°21'32"W
6.89' (2.100M)
N43°38'28"E

109.39' (33.342M)
Ch=N43°23'55"E
18.28' (5.572M)

27.89' (8.501M)
S46°21'32"E
6.89' (2.100M)

R=462.13' (140.858M)
N39°04'14"E
114.20' (34.808M)

S44°31'54"W
109.38' (33.339M)

Ch=S43°26'00"W
17.64' (5.377M)
R=449.63' (137.072M)

S39°04'14"W
112.65' (34.336M)

12.5' P.U.E.

Ch=S10°23'31"W
277.77' (84.664M)
R=457.32' (139.391M)

Ch=N10°33'41"E
285.02' (86.874M)
R=469.82' (143.201M)

S89°51'34"W
12.60' (3.840M)

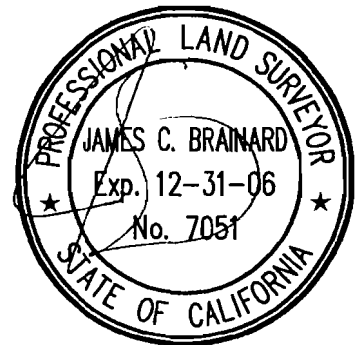
APN 116-0030-020

BOOK 266
PAGE 5

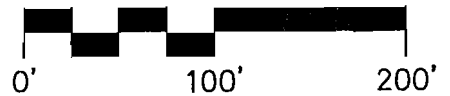
Lot 127

APN 116-0030-053

Family Real Property Ltd.

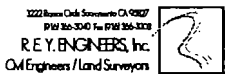


POB = Point of Beginning
POC = Point of Commencement
GRAPHIC SCALE



The meridian shown hereon is based upon the California Coordinate System, Zone 2 (NAD83, 1991.35). To obtain grid distances, multiply the ground distances shown hereon by the combined factor of 0.99997792.

IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
CITY PARCEL 05-08-33



Scale 1"=100'
Date 02-23-06
Drawn By KS
Checked By JB

PLAT MAP - SHEET 1 OF 1
Public Utility Easement of 10,972.76+/- sq.ft.
0.2519+/- acres or 0.102+/- hectares
APN 116-0030-053



2--B-2

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EXHIBIT 2-B-3
(Public Utility Easement)

An EASEMENT for PUBLIC UTILITY PURPOSES for the installation, construction, repair and maintenance of electroliers, traffic control devises, water, sewer, gas and drainage pipes and poles, and overhead and underground wires and conduits for electrical, communications and television services, together with any and all appurtenances pertaining thereto, on, over, under and across all that real property owned by OWNER(S) and situated within the City of Elk Grove ("CITY"), County of Sacramento, State of California described herein in Exhibit 2-B-1 and delineated herein on Exhibit 2-B-2.

The CITY may move and/or remove any existing structures or improvements. The CITY shall replace "in like kind" or restore such structures or improvements upon completion of construction and/or maintenance activities unless such restoration or replacement interferes with the operation and maintenance of said public utilities.

Without limiting the CITY's rights granted herein, the CITY may also trim such tree foliage and cut such limbs and roots on said property as may be necessary for the protection of said public utilities.

OWNER(S) shall not erect or construct any building or other permanent structure or drill or operate any well within said easement.

Temporary Construction Easement

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Lots 127 as shown on the Plat of "Sheldon Pacific, Unit No. 2", filed in the Office of the Recorder of Sacramento County, California on October 13, 1999 in Book 266 of Maps, at Map No. 5 more particularly described as follows:

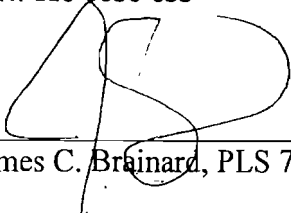
Beginning at a point on the Northerly line of said Lot 127 said point being the end of a 25.00 foot radius curve meeting a 375.00 foot radius curve; thence along said North line along the arc of a curve to the left having a radius of 375.00 feet or 114.300 meters, with a chord bearing South 72°29'04" East 16.55 feet or 5.044 meters to the **Point of Beginning**; thence from said **Point of Beginning** along said North line of Lot 127 along the arc of a curve to the left having a radius of 375.00 feet or 114.300 meters, with a chord bearing South 80°48'37" East 92.20 feet or 28.103 meters; thence leaving said North line South 06°13'21" West 27.13 feet or 8.269 meters; thence North 83°55'13" West 26.18 feet or 7.980 meters; thence along the arc of a curve to the right having a radius of 405.11 feet or 123.478 meters, with a chord bearing North 78°54'25" West 70.80 feet or 21.580 meters; thence South 43°38'28" West 350.62 feet or 106.869 meters; thence South 44°31'54" West 109.69 feet or 33.434 meters; thence along the arc of a curve to the left having a radius of 435.89 feet or 132.860 meters, with a chord bearing South 43°26'45" West 16.52 feet or 5.035 meters; thence South 39°04'14" West 110.93 feet or 33.812 meters; thence along the arc of a curve to the left having a radius of 443.57 feet or 135.200 meters, with a chord bearing South 10°11'45" West 269.81 feet or 82.238 meters to the South line of said Lot 127; thence along said South line South 89°51'34" West 26.45 feet or 8.062 meters; thence along the arc of a curve to the right having a radius of 469.82 feet or 143.201 meters, with a chord bearing North 10°33'41" East 285.02 feet or 86.874 meters; thence North 39°04'14" East 114.20 feet or 34.808 meters; thence along the arc of a curve to the right having a radius of 462.13 feet or 140.858 meters, with a chord bearing North 43°23'55" East 18.28 feet or 5.572 meters; thence North 44°31'57" East 109.39 feet or 33.342 meters; thence North 43°38'28" East 14.47 feet or 4.410 meters; thence South 46°21'32" East 6.89 feet or 2.100 meters; thence North 43°38'28" East 27.89 feet or 8.501 meters; thence North 46°21'32" West 6.89 feet or 2.100 meters; thence North 43°38'28" East 308.30 feet or 93.970 meters; thence along the arc of a curve to the right having a radius of 26.25 feet or 8.001 meters, with a chord bearing North 74°56'45" East 27.28 feet or 8.315 to the **Point of Beginning**,

containing 25569.72 square feet or 0.5870 acres; or 2375.514 square meters or 0.238 hectares, more or less.

The meridian used herein is based upon the California Coordinate System (CCS) Zone II, NAD83, 1991.35. The ground distances used herein are in U.S. Survey Feet and Meters. To obtain grid distances, multiply the ground distances shown herein by the combined factor of 0.99997792.

This real property description has been prepared at R.E.Y. Engineers, Inc., by me or under my direction, in conformance with the Professional Land Surveyors Act.

APN: 116-0030-053


James C. Brainard, PLS 7051



10/25/06
Date

Cantwell Drive

Ch=N74°56'45"E
27.28' (8.315M)
R=26.25' (8.001M)

POB

APN 116-0030-052

East Stockton Blvd.

N46°21'32"W 6.89' (2.100M)
N43°38'28"E 308.30' (93.970M)
Ch=N78°54'25"W 70.80' (21.580M)
R=405.11'
Ch=S80°48'37"E 92.20' (28.103M)
R=375.00'
N83°55'13"W 26.18' (7.980M)
S06°13'21"W 27.13' (8.269M)

N43°38'28"E 14.47' (4.410M)
N44°31'57"E 109.39' (33.342M)
Ch=N43°23'55"E 18.28' (5.572M)
R=462.13' (140.858M)
N39°04'14"E 114.20' (34.808M)
N44°10'39"E 140.03' (42.681M)
N43°38'28"E 27.89' (8.501M)
S43°38'28"W 350.62' (106.869M)
S46°21'32"E 6.89' (2.100M)
S44°31'54"W 109.69' (33.434M)
Ch=S43°26'45"W 16.52' (5.035M)
R=435.89' (132.860M)

BOOK 266
PAGE 5

Lot 127

APN 116-0030-053

Family Real Property Ltd.

05-08-33
T.C.E.

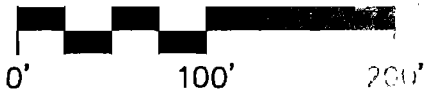
Ch=S10°11'45"W
269.81' (82.238M)
R=443.57' (135.200M)

Ch=N10°33'41"E
285.02' (86.874M)
R=469.82' (143.201M)

S89°51'34"W 26.45' (8.062M)
APN 116-0030-020



POB = Point of Beginning
POC = Point of Commencement
GRAPHIC SCALE



The meridian shown hereon is based upon the California Coordinate System, Zone 2 (NAD83, 1991.35). To obtain grid distances, multiply the ground distances shown hereon by the combined factor of 0.99997792.

IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
CITY PARCEL 05-08-33



Scale 1"=100'
Date 02-23-06
Drawn By KS
Checked By JB

PLAT MAP - SHEET 1 OF 1
Temporary Construction Easement of 25,569.72+/- sq.ft.
0.5870+/- acres or 0.238+/- hectares
APN 116-0030-053



EXHIBIT 2-C-3
(Temporary Construction Easement)

A TEMPORARY CONSTRUCTION EASEMENT (“EASEMENT”) for the purpose of use, construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public right-of-ways, highways, roadways, services, utilities, landscape improvements, and necessary appurtenant structures, on, over, and under all that real property situated in the City of Elk Grove (“CITY”), County of Sacramento, State of California, described herein in Exhibit 2-C-1 and delineated herein on Exhibit 2-C-2.

CITY may move and/or remove any existing structures or improvements but shall replace “in like kind” or restore such structures or improvements prior to the EASEMENT’s termination. Access to any improved parcels shall not be totally impaired and at least one-half of all driveways shall remain unobstructed at all times. City may re-grade the underlying property to conform to the grade of the street frontage.

The EASEMENT shall extend for a period of thirty (30) months commencing on the date ordered by the Court.

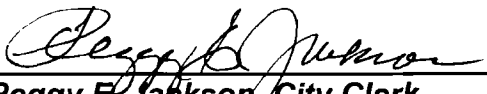
**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2006-325**

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 December 13, 2006 by the following vote:

AYES : **COUNCILMEMBERS:** **Scherman, Cooper, Leary, Davis, Hume**
NOES : **COUNCILMEMBERS:** **None**
ABSTAIN : **COUNCILMEMBERS:** **None**
ABSENT: **COUNCILMEMBERS:** **None**





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