


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

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

  
Sacramento County Recorder  
Craig A. Kramer, Clerk/Recorder  
BOOK 20100816 PAGE 0709  
Monday, AUG 16, 2010 11:18:36 AM  
Ttl Pd \$0.00 Nbr-0006463766  
REB/51/1-5

Space above this line for Recorder's Use

**RESOLUTION NO. 2010-106**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
APPROVING THE ABANDONMENT OF A PORTION OF DWIGHT ROAD WEST OF  
PORTOFINO DRIVE**

**WHEREAS**, Dwight Road west of Portofino Drive only provides secondary access for the Sacramento Regional County Sanitation District, Regional Water Treatment Plant; and

**WHEREAS**, Dwight Road has not been improved to City of Elk Grove (City) or County of Sacramento (County) Standards; and

**WHEREAS**, the City and the County have determined that Dwight Road is not needed for current and/or future circulation; and

**WHEREAS**, the proposed abandonment is associated with implementation of the City's last Quiet Zone.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby finds that:

- 1) The abandonment is being made under the Streets and Highway Code Section 8300 et seq.; and
- 2) This portion of Dwight Road is being abandoned and is described in Exhibit A legal description and shown on Exhibit B plat to accompany legal description; and
- 3) This abandonment was found to be in conformance with the General Plan pursuant to Section 65402(a) of the Government Code by the Planning Commission on April 1, 2010 in Resolution No. 2010-10; and
- 4) The proposed road abandonment is exempt from California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the road abandonment will have a significant effect on the environment; and

- 5) Pursuant to Sections 8340 and 8341 of The Streets and Highway Code easements are being reserved for the right of entry to repair, maintain, and construct drainage, sewer, water and gas pipelines, and aerial and underground power, telephone, and other communication facilities now in place or which from time to time may be placed thereon.

**NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED** that Dwight Road as described in Exhibit A and shown on Exhibit B is hereby **abandoned** and that from and after the date of the recordation of this resolution Dwight Road no longer exists as a public road.

**NOW, THEREFORE, BE IT FINALLY RESOLVED** that the City Clerk of the City of Elk Grove shall cause a certified copy of this Resolution of Abandonment and Exhibits A and B attached hereto attested by the 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 on this 26<sup>th</sup> day of May 2010.

  
SOPHIA SCHERMAN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
JASON LINDGREN, INTERIM CITY CLERK

APPROVED AS TO FORM:

  
SUSAN COCHRAN, CITY ATTORNEY

**Exhibit A**  
**Legal Description**  
**Dwight Road Abandonment**  
**City of Elk Grove**

That portion of Dwight Road, in the City of Elk Grove, County of Sacramento, State of California bounded as follows:

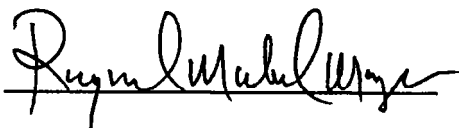
On the north by the centerline of Dwight Road as shown on "Plat of Portofino Unit No. 3" filed in Book 206 at Page 12 of Maps, in the office of the County Recorder of said County; on the West by the easterly line of the Western Pacific Railroad (100 feet wide) as shown on Record of Survey filed in Book 33 at Page 20, of Records of Surveys; on the south by the north line of Lot A as shown on said map of "Plat of Portofino Unit No. 3" having a bearing and distance of North 89° 49' 37" East 540.03 feet and on the east by a line bearing North 0° 10' 23" West from the westerly terminus of said north line of Lot A to the centerline of Dwight Road as described above.

**Reserving**, however, the right of entry to repair, maintain, and construct drainage, sewer, water and gas pipelines, and aerial and underground power, telephone, and other communication facilities now in place or which from time to time may be placed thereon.

Containing 22,765 square feet, more or less.

***See "Exhibit B" Plat to accompany Legal Description (for information purposes only) attached hereto and made a part hereof. The purpose of the plat is to show the location of the area to be abandoned and any discrepancy between the Legal Description and the plat the Legal Description holds.***

This Legal Description was prepared by me or under my direction pursuant to the requirements of the Professional Land Surveyor's Act.



Raymond Michael Manger  
L.S. No. 5154  
Registration Expires: June 30, 2011

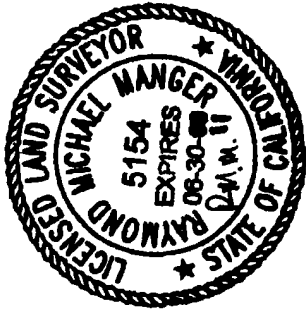


Feb 3, 2010

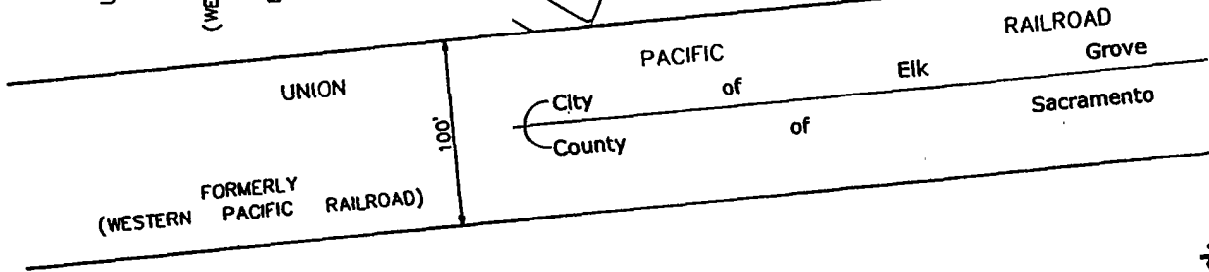
Date:

# Exhibit B

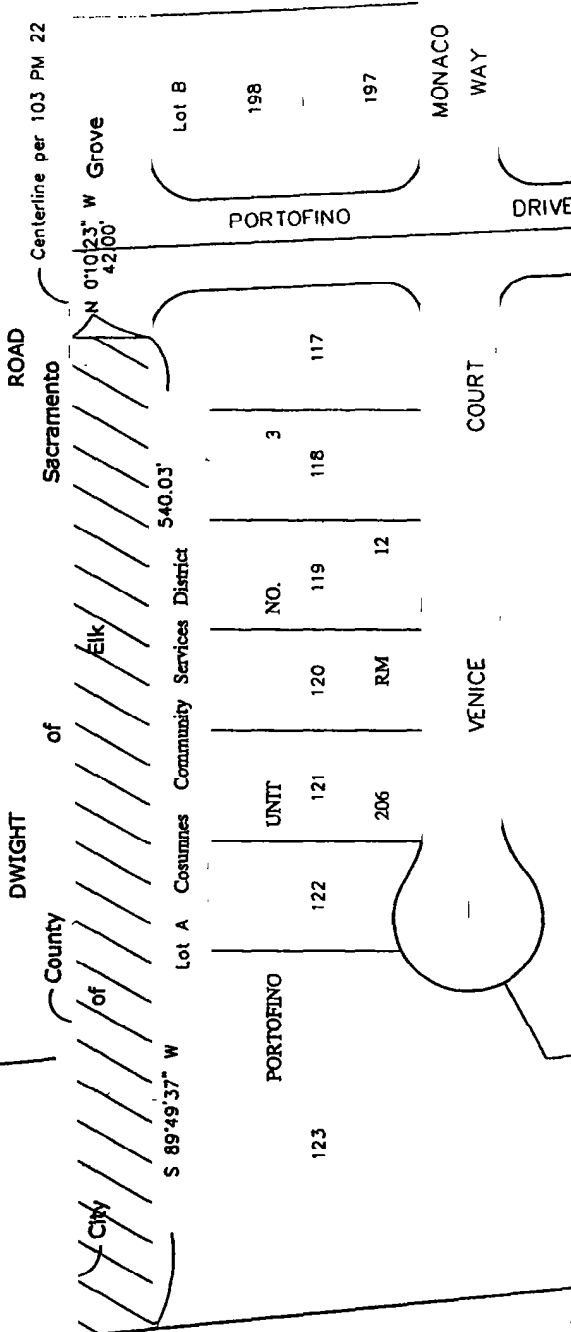
Plat to accompany Legal Description  
For information purposes only



UNION PACIFIC  
RAILROAD  
FORMERLY  
(WESTERN PACIFIC  
RAILROAD)  
Book 300 Page 265,  
of Deeds



Sacramento Regional County Sanitation District



UNIT	NO.
122	119
121	118
206	12
3	117



CITY OF ELK GROVE - PUBLIC WORKS DEPARTMENT  
**Dwight Road Abandonment**  
City of Elk Grove-County of Sacramento  
State of California

**Legend:**  
////// Dwight Road Abandonment Area

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2010-106**

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


***I, Jason Lindgren, Interim 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 May 26, 2010 by the following vote:***

**AYES :       COUNCILMEMBERS:     Scherman, Detrick, Cooper, Davis, Hume**

**NOES:       COUNCILMEMBERS:     None**

**ABSTAIN :   COUNCILMEMBERS:     None**

**ABSENT:     COUNCILMEMBERS:     None**

  
\_\_\_\_\_  
**Jason Lindgren, Interim City Clerk  
City of Elk Grove, California**