

RESOLUTION NO. 2013-137

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING THE FINAL MAP FOR SUBDIVISION NO. 10-016,
N.J. WILSON ESTATES**

WHEREAS, the City of Elk Grove (City) approved the Tentative Map for N.J. Wilson Estates (EG-10-016) on November 10, 2010; and

WHEREAS, consistent with the approved Tentative Map, Nathaniel J. Wilson submitted to the City for approval Subdivision No. 10-016, N.J. Wilson Estates; and

WHEREAS, staff has reviewed the proposed Final Map and finds it to be technically correct and all applicable final map conditions of approval have been satisfied; and

WHEREAS, all of the final monuments shown on the final map have been set and inspected by the City; and

WHEREAS, the City has determined that this final map is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15268, (b) (3) Ministerial Projects (approval of final subdivision maps), of Title 14 of the California Code of Regulations (State CEQA Guidelines) and a Notice of Exemption is attached hereto; and

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


- 1) The location and configuration of the lots to be created by Subdivision No. 10-016, N.J. Wilson Estates substantially comply with the previously approved Tentative Map; and
- 2) The Final Map is categorically exempt from the California Environmental Quality Act (CEQA), Statutory Exemptions, Title 14 of the California Code of Regulations Section 15268, (b) (3) Ministerial projects, approval of final subdivision maps; and
- 3) That the City Council of the City of Elk Grove, pursuant to Government Code Section 66458, hereby approves Subdivision No. 10-016, N.J. Wilson Estates Final Map, a copy of which is hereby attached as Exhibit A and made part of this Resolution and directs the City Clerk to transmit the final map to the County Recorder of the County of Sacramento for filing and transmit the Notice of Exemption attached hereto as Exhibit B to the County Clerk of Sacramento County for filing.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 24th day of July 2013.



GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

EXHIBIT A

OWNER'S STATEMENT:

THE UNDERSIGNED HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS FINAL MAP, SUBDIVISION NO. 10-016, N.J. WILSON ESTATES AND OFFERS FOR REPLICATION THE FOLLOWING:

THE REAL PROPERTY DESCRIBED BELOW ARE DEDICATED AS EASEMENTS. THE CITY OF ELK GROVE AN EASEMENT FOR PUBLIC UTILITY FOR PLUMBING AND HEATING LINES, ELECTRICAL LINES AND EASEMENTS OF DESCRIBED NATURE AND COORDINATES FOR ELECTRICAL, TELEPHONE AND TELEVISION SERVICES, TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THEREON, ON OVER AND AROUND THAT CERTAIN STRIP OF LAND THE REAL PROPERTY DESCRIBED BELOW ARE DEDICATED AS EASEMENTS.

THE CITY OF ELK GROVE AN EASEMENT FOR A STREAM BUFFER ZONE ADJACENT TO THE 100 YEAR FLOOD PLANE EXISTENT ALONG HERZOG ROAD FOR ACCESS TO AND MAINTENANCE OF FLOODED AREA, PASSIVE RECREATIONAL USE ALONG WITH TRAILS AND OPEN SPACES AS DEDICATED AS STREAM BUFFER ZONE; NO DEVELOPMENT SHALL BE ALLOWED IN THIS ZONE.

DOUG BALTERS AND REBECCA BALTERS, HUSBAND AND WIFE AS JOINT TENANTS, OWNERS, MATTHEW NELSON AND MARY NELSON, HUSBAND AND WIFE AS JOINT TENANTS, OWNERS,

Doug Balters, Matthew Wilson, Rebecca Balters, Mary Wilson

NOTARY ACKNOWLEDGEMENT:

STATE OF CALIFORNIA, COUNTY OF SACRAMENTO

ON 23rd day of October, 2013, before me, Matthew Baltes, Esquire, a Notary Public, personally appeared Doug Balters, Rebecca Balters, Matthew Wilson, and Mary Wilson, known to me to be the persons whose names are subscribed to the foregoing instrument, and by their several signatures and by their several acknowledged signatures on the instrument, acknowledged to me that they executed the foregoing instrument for the purposes and consideration therein expressed.

I CERTIFY UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING REPRESENTS TO BE TRUE AND CORRECT.

WITNESSED BY HAND AND OFFICIAL SEAL.

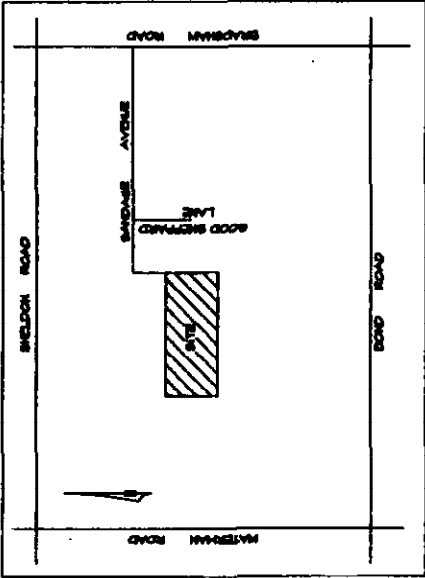
SIGNATURE: [Signature]

Matthew Baltes, Esquire, Notary Public in and for said County and State.

PRINCIPAL COUNTY OF SACRAMENTO, SACRAMENTO

COMMISSION EXPIRES: 23rd Dec 2013

COMMISSION # OF NOTARY: 18232357



VICINITY MAP, NOT TO SCALE

CITY ENGINEER'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS SUBDIVISION MAP NO. 10-016, N. J. WILSON ESTATES AND FOUND IT SUBSTANTIALLY COMPLES WITH THE TENTATIVE MAP APPROVED BY THE CITY COUNCIL OF THE CITY OF ELK GROVE ON FEBRUARY 19, 2013, AND I AM APPROVED BY ACT AND LOCAL ORDINANCES HAVE BEEN COMPLIED WITH.

DATED THIS 23rd DAY OF October, 2013.

RICHARD K. SHWARD, R. C. E. SEAL, CITY ENGINEER, CITY OF ELK GROVE, REGISTRATION EXPIRES: 4-30-2015



RECORDERS STATEMENT:

FILED THIS 23rd DAY OF October, 2013, AT THE OFFICE OF RECORDER OF MATTERS, COUNTY OF SACRAMENTO, CALIFORNIA, IN BOOK 23, PAGE 357. THIS MAP IS BEING RECORDED AS PER CERTIFICATE NO. 18232357 ON FILE IN THIS OFFICE.

RECORDER: [Signature]

COUNTY RECORDER: [Signature] DEPUTY

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES AT THE REQUEST OF MATTHEW NELSON IN OCTOBER, 2013. I HEREBY STATE THAT ALL THE REQUIREMENTS OF THE ACT AND LOCAL ORDINANCES HAVE BEEN COMPLIED WITH AND THAT THE INSTRUMENTS ARE OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE REPRODUCED AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

THE SURVEYOR WITHIN THE NEARBY BORDER CONTAINS 10.046 ACRES CONSISTING OF 4 RESIDENTIAL LOTS.

DATED THIS 23rd DAY OF October, 2013.

Monte K. Seibel, L.S. No. 4084

REGISTRATION EXPIRES: [Blank]

CITY CLERK'S STATEMENT:

I, JACOB LINDERMAN, CITY CLERK OF THE CITY OF ELK GROVE, HEREBY STATE THAT THE CITY COUNCIL OF THE CITY OF ELK GROVE HAS APPROVED THIS FINAL MAP SUBDIVISION NO. 10-016, N.J. WILSON ESTATES, AND ACCEPTED THE EASEMENTS FOR PUBLIC UTILITY PURPOSES AND THE EASEMENT FOR THE STREAM BUFFER ZONE AS OFFERED HEREON.

DATE: [Blank] JACOB LINDERMAN, CITY CLERK, CITY OF ELK GROVE, CALIFORNIA



SURVEYOR'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS SUBDIVISION NO. 10-016-N.J. WILSON ESTATES, AND FOUND IT TO BE TECHNICALLY CORRECT.

DATE: [Blank]

MATTHEW NEAL, REGISTERED LAND SURVEYOR, L.S. NO. 8884, REG. EXPI. 4-30-2015



SUBDIVISION NO. 10-016 N. J. WILSON ESTATES BEING THE RE-SUBDIVISION OF PARCELS B AND C AS SHOWN IN BOOK 160 OF PARCEL MAPS, PAGE 11, RECORDS OF SACRAMENTO COUNTY CITY OF ELK GROVE, COUNTY OF SACRAMENTO, CALIFORNIA

SHEET 1 OF 4

MONTY K. SEIBEL, LAND SURVEYOR, LODI, CALIFORNIA

NOTICE OF EXEMPTION

To: Office of Planning and Research
P.O. Box 3044, 1400 Tenth Street, Room 22
Sacramento, CA 95812-3044

From: City of Elk Grove
Planning Department
8401 Laguna Palms Way
Elk Grove, CA 95758

County Clerk-Recorder
Sacramento County
PO Box 839, 600 8th Street
Sacramento, CA 95812-0839

Project Title: Subdivision No. 10-016, NJ Wilson Estates, Final Map

Project Location - Specific: The site is located at 9530 and 9540 Sandage Avenue.

Assessor's Parcel Number(s): 127-0030-063 and 127-0030-064

Project Location – City: Elk Grove

Project Location – County: Sacramento

Project Description: Approval and recordation of a Final Map for NJ Wilson subdivisions, subdivision number 10-016.

Lead Agency: **City of Elk Grove**

Lead Agency Contact Person and Phone Number: Taro Echiburú, Planning Director (916) 478-3619

Applicant: Nathaniel J. Wilson
9530 Sandage Avenue
Elk Grove, CA 95624

- Exemption Status:**
- Ministerial [Section 21080(b); 15268];
 - Declared Emergency [Section 21080(b)(3); 15269(a)];
 - Emergency Project [Section 21080(b)(4); 15269(b)(c)];
 - General Rule [Section 15061(b)(3)];
 - Categorical Exemption

REASONS WHY THIS PROJECT IS EXEMPT OR DOES NOT REQUIRE FURTHER ENVIRONMENTAL DOCUMENTATION:

The California Environmental Quality Act (Section 21000, et. seq. of the California Public Resources Code, hereafter CEQA) requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The proposed Final Map is a project under CEQA.

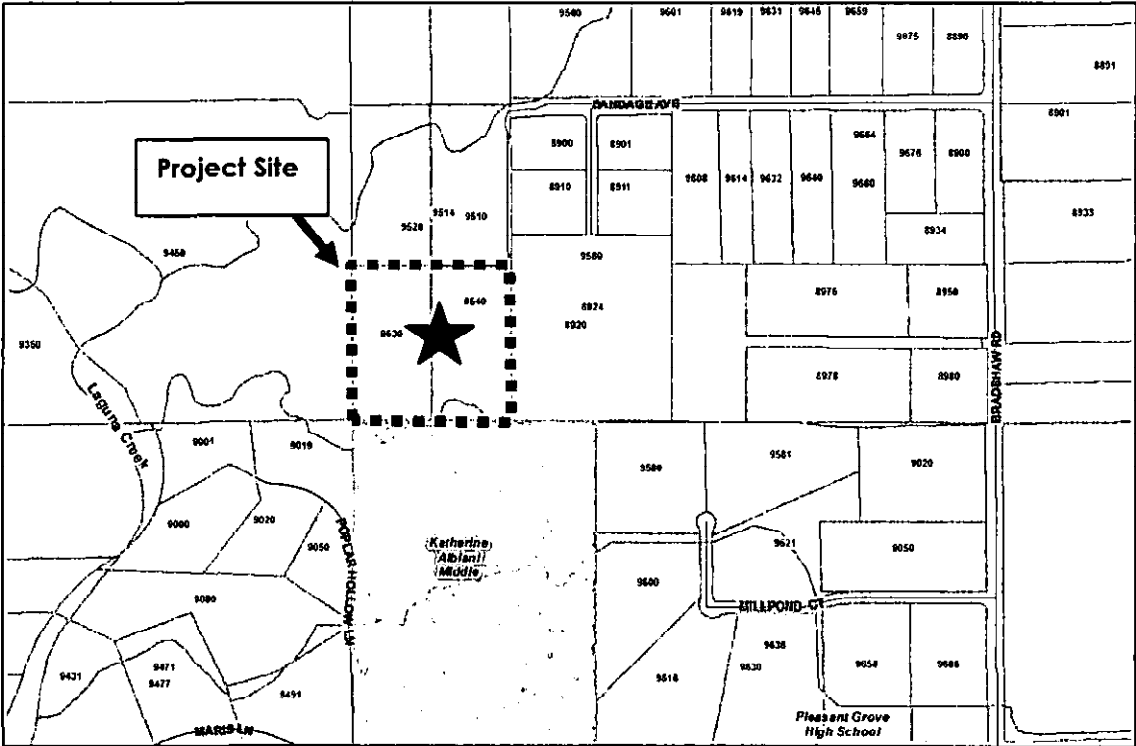
Staff has reviewed the project to determine the required level of review under CEQA. The proposed project is exempt from CEQA under Section 15268(b) of Division 6 of Chapter 3 of Title 14 of the California Code of Regulations (State CEQA Guidelines). Section 15628(b) exempts ministerial approvals by public agencies from CEQA. Final Maps are specifically cited as a type of ministerial permit. Therefore, this project qualifies for the identified exemption.

The corresponding Tentative Subdivision Map for this project was reviewed under CEQA as part of its approval in 2010. The Tentative Subdivision Map was found to be exempt from CEQA review pursuant to §15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) and §15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines by the City Council as part of the project's approval. Consequently, pursuant to CEQA Guidelines Section 15628(b), no further environmental review is required for this project.

City of Elk Grove
Planning Department

By _____
Taro Echiburú,
Planning Director
Date: June 8, 2013

Location Map



**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2013-137**

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


I, Jason Lindgren, 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 July 24, 2013 by the following vote:

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

NOES: COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*



**Jason Lindgren, City Clerk
City of Elk Grove, California**