

RESOLUTION NO. 2020-153

**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 KAMMERER ROAD RECONSTRUCTION
BRUCEVILLE ROAD TO BIG HORN BOULEVARD PROJECT (WTR018)
(Shergill / APN 132-0300-023)
(NO FURTHER CEQA REVIEW REQUIRED)**

WHEREAS, improving and extending Kammerer Road between Lent Ranch Parkway and Bruceville Road is a priority to the City of Elk Grove and acquiring the necessary right-of-way and other property interests to construct the project is an important and necessary step in the Kammerer Road Reconstruction Bruceville Road to Big Horn Boulevard Project (WTR018) (“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 Interests”) 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 Interests, and concluded that both the Project and acquisition of the Property Interests for the Project are necessary; and

WHEREAS, the Property Interests which are the subject of this Resolution of Necessity consist of a fee interest for roadway purposes, an easement interest for public facilities and public utilities, and a temporary construction easement, all of which are more particularly described and depicted in Exhibits “A-1,” “A-2,” “A-3,” “B-1,” “B-2,” “B-3,” “C-1,” “C-2,” and “C-3,” which are attached hereto and are incorporated herein. The Sacramento County Assessor has designated the Property Interests as a portion of APN 132-0300-023; and

WHEREAS, the Property Interests described and depicted in Exhibits “A-1,” “A-2,” “A-3,” “B-1,” “B-2,” “B-3,” “C-1,” “C-2,” and “C-3,” are required for a more necessary public use than the use to which the property is appropriated pursuant to California Code of Civil Procedure §1240.610 *et seq.*; and

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

WHEREAS, the Project is a project under California Environmental Quality Act (§21000 *et seq.* of the Public Resources Code, hereinafter referred to as CEQA), which requires that cities consider the environmental consequences of their actions before approving a project; and

WHEREAS, the potential environmental impacts of the Project were previously analyzed in the Capital SouthEast Connector – A1/A2 Kammerer Road Project (Kammerer Project) Initial Study/Mitigated Negative Declaration (State Clearinghouse #2018022061) and the Southeast Policy Area Special Planning Area (SEPA) (State Clearinghouse #2013042054) Environmental Impact Report (EIR); and

WHEREAS, the potential environmental impacts of the property acquisition needed in support of the Capital SouthEast Connector – A1/A2 Kammerer Road Project (Kammerer Project), were previously disclosed and analyzed in an Initial Study/Mitigated Negative Declaration (State Clearinghouse #2018022061) by the Joint Powers Authority for the Capital SouthEast Connector (Connector JPA), who acted as the CEQA lead agency and the Initial Study resulted in approval of a Mitigated Negative Declaration and adoption of a Mitigation, Monitoring, and Reporting Program (MMRP) on December 14, 2018; and

WHEREAS, the Connector JPA acted as the CEQA lead agency for the Kammerer Project and the City is acting as the Responsible Agency for all portions of the Kammerer Project;

WHEREAS, the potential environmental impacts of SEPA resulted in a determination that the project will not have a significant effect on the environment with implementation of the Mitigation Monitoring and Reporting Program (MMRP), and on July 9, 2014, the City of Elk Grove City Council, acting as the CEQA lead agency, certified the SEPA EIR, approved the project, and adopted the MMRP; and

WHEREAS, no substantial changes are proposed to Project and there are no substantial changes in circumstances or new information that would require revisions to the MMRP or EIR and therefore, no further environmental review is required under CEQA; and

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

WHEREAS, as a result of the hearing held on June 24, 2020, and in accordance with the provisions of California Code of Civil Procedure §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 Interests for the Project.
3. The City of Elk Grove is authorized to acquire the Property Interests pursuant to the provisions of California Government Code §§37350.5, 40401 and 40404 and the provisions of California Eminent Domain Law comprising Title 7, Part 3 of the California Code of Civil Procedure (commencing at §1230.010), including §1240.610, *et seq.*

4. The acquisition of the Property Interests for Project purposes is authorized by §1240.010 of the California Code of Civil Procedure and California Government Code §37350.5, whereby the acquisition promotes public safety and general community welfare 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 "A-1," "A-2," "A-3," "B-1," "B-2," "B-3," "C-1," "C-2," and "C-3," are necessary for the purposes of construction, operation, and maintenance of the proposed Project, and/or such acquisition is authorized pursuant to California Code of Civil Procedure §1240.610, *et seq.*;
 - d. Prior to making the above findings and determinations, the offer required by §7267.2 of the California Government Code was made to the owner(s) of record of the property interests described and depicted in Exhibits "A-1," "A-2," "A-3," "B-1," "B-2," "B-3," "C-1," "C-2," and "C-3."
6. The City Attorney, through the City Attorney's Office and/or outside legal counsel under the supervision of the City Attorney, is hereby authorized and directed to prepare, commence, and prosecute proceedings in eminent domain in the Sacramento County Superior Court to acquire for the City of Elk Grove the Property Interests described and depicted in Exhibits "A-1," "A-2," "A-3," "B-1," "B-2," "B-3," "C-1," "C-2," and "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 Manager, or designee, is hereby authorized and directed to disburse all funds required by the City Attorney to make any and all deposits to obtain possession of and title to the Property Interests, including, but not limited to, deposit of the probable amount of compensation pursuant to California Code of Civil Procedure §1255.010, *et seq.*

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 24th day of June 2020




STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

EXHIBIT "A-1"

No Fee Document – Per Government Code §6103 & §27383
No Documentary Transfer Tax – Per R&T Code §11922

Recording Requested By and When Recorded Return To:

City of Elk Grove
Attn: City Clerk
8401 Laguna Palms Way
Elk Grove, CA 95758

Mail Tax Statements To:

Satpal and Vidya Shergill
P.O. Box 250
Elk Grove, CA 95759

Project Name: Kammerer Road Extension Project, Phase I/II
(WTR017/WTR018)
APN: ptn. of 132-0300-023

The Above Space For Recorder's Use Only

GRANT DEED

The undersigned hereby declare Documentary transfer tax is \$ 0.00

Unincorporated Area City of Elk Grove R&T Code §11922 Governmental agency acquiring title

FOR VALUABLE CONSIDERATION, receipt and sufficiency of which is hereby acknowledged, the **SATPAL S. SHERGILL and VIDYA W. SHERGILL, Trustees of the Satpal S. Shergill and Vidya W. Shergill Revocable Living Trust dated April 12, 2007** (“GRANTOR”), hereby grants to the **CITY OF ELK GROVE, a municipal corporation** (“GRANTEE”), all that certain real property situated in the City of Elk Grove, County of Sacramento, State of California, described as follows:

See Exhibit “A”, legal description, and Exhibit “B”, plat map, attached hereto and made a part hereof.

The property described in Exhibit “A” is for Public Street and Highway purposes to be known as Kammerer Road.

Executed this _____ day of _____, 20_____

GRANTOR: SATPAL S. SHERGILL and VIDYA W. SHERGILL, Trustees of the Satpal S. Shergill and Vidya W. Shergill Revocable Living Trust dated April 12, 2007

By: _____
Satpal S. Shergill, as Trustee of the Satpal S. Shergill and Vidya W. Shergill Revocable Living Trust dated April 12, 2007

By: _____
Vidya W. Shergill, as Trustee of the Satpal S. Shergill and Vidya W. Shergill Revocable Living Trust dated April 12, 2007

THIS TRANSACTION IS EXEMPT FROM CALIFORNIA DOCUMENTARY TRANSFER TAX PURSUANT TO SECTION 11922 OF THE CALIFORNIA REVENUE AND TAXATION CODE. THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT TO SECTIONS 6103 and 27383 OF THE CALIFORNIA GOVERNMENT CODE.

EXHIBIT "A-2"
EXHIBIT "A"
PORTION OF APN: 132-0300-023
FEE SIMPLE ACQUISITION

All that real property situated in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

All that portion of Section 14, Township 6 North, Range 5 East, Mount Diablo Meridian, being a portion of the parcel of land described in Grant Deed to Satpal S. Shergill & Vidya W. Shergill Revocable living trust, recorded in Book 20070412, at Page 0875, Official Records of Sacramento County and being more particularly described as follows:

Beginning at the Southeast corner of said Shergill parcel, said point being the intersection of the centerline of Kammerer Road and the East line of the Northwest $\frac{1}{4}$ of said Section 14; thence along the South line of said Shergill parcel, said line also being the South line of the Northeast $\frac{1}{4}$ of Section 14 and the centerline of Kammerer Road South $88^{\circ}36'44''$ West, 991.54 feet to the Southwest corner of said Shergill parcel; thence along the West line of said Shergill parcel being the West line of the East $\frac{1}{2}$ of the East 60 Acres of the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of said Section 14, North $01^{\circ}13'38''$ West, 90.16 feet; thence leaving said West line, along a non-tangent curve to the right having a radius of 10,048.00 feet, with a radial bearing of North $00^{\circ}13'58''$ East, through a central angle of $00^{\circ}34'27''$, having an arc length of 100.68 feet, subtended by a chord bearing of South $89^{\circ}28'39''$ East, 100.67 feet; thence South $89^{\circ}11'35''$ East, 234.01 feet; thence North $89^{\circ}04'49''$ East, 203.20 feet; thence North $87^{\circ}03'02''$ East, 185.03 feet; thence North $00^{\circ}56'53''$ West, 19.00 feet; thence North $89^{\circ}03'07''$ East, 28.00 feet; thence South $00^{\circ}56'53''$ East, 7.00 feet; thence North $89^{\circ}03'07''$ East, 143.84 feet; thence along a curve to the left having a radius of 33.00 feet, through a central angle of $90^{\circ}16'45''$, having an arc length of 52.00 feet; subtended by a chord bearing North $43^{\circ}54'45''$ East, 46.78 feet; thence North $01^{\circ}13'38''$ West, 20.00 feet; thence North $88^{\circ}46'22''$ East, 63.85 feet to the East line of said Shergill parcel; thence along said East line South $01^{\circ}13'38''$ East, 144.65 feet to the point of beginning, containing 1.997 acres more or less.

See Exhibit "B" attached hereto and made a part of this description.

End of Description

EXHIBIT "A-1"

Page 2 of 2

EXHIBIT "A"

**PORTION OF APN: 132-0300-023
FEE SIMPLE ACQUISITION**

The **Basis of Bearings** for this legal description is the centerline of Kammerer Road as shown on the Record of Survey filed in Book 91 of Surveys, at Page 18, of Official Records of Sacramento County.

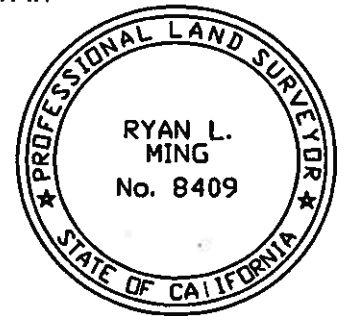
This description has been prepared by me or under my direct supervision in conformance with the Professional Land Surveyors Act.





Ryan L Ming, P.L.S. 8409

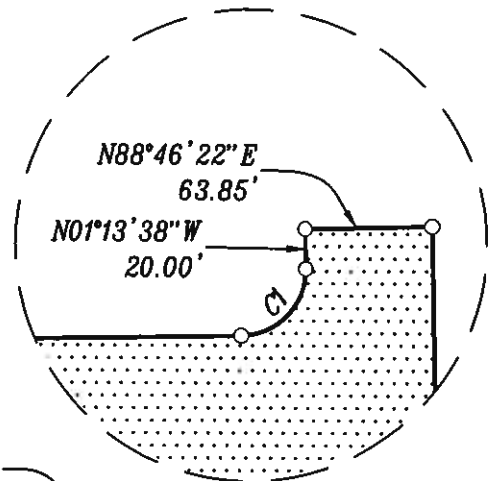
Date



CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	33.00'	90°16'45"	52.00'	N43°54'45" E 46.78'



WEST LINE OF EAST 1/2
THE EAST 60 ACRES OF THE
SOUTH 1/2 OF THE NW-1/4
SECTION 14



SHERCILL
BK 20070412 PG 0875
APN: 132-0300-023

CH=N43°54'45" E 46.78'
Δ=90°16'45"
R=33.00'
L=52.00'

CH=S89°28'49" E 100.67'
Δ=00°34'27"
R=10048.00'
L=100.68'

N89°03'07" E
143.84'

S00°56'53" E

N89°03'07" E 7.00'

N00°56'53" W

19.00'

N87°03'02" E

185.03'

S89°11'35" E

234.01'

N89°04'39" E

203.20'

DETAIL "A"
NOT TO SCALE

MCMILLAN RD.

EAST LINE
NW-1/4
SECTION 14

N88°46'22" E
63.85'

S01°13'38" E
144.65'

KAMMERER ROAD

N01°13'38" W
90.16'

20' ROW
BK 109
PG 626

S88°36'44" W 991.54'

SEE DETAIL
"A"

POB

SOUTH LINE
NORTHEAST 1/4
SECTION 14 &
CENTERLINE
KAMMERER ROAD



LEGEND

FEE SIMPLE ACQUISITION 1.997 AC±

- APN.....ASSESSORS PARCEL NUMBER
- BK.....BOOK
- ℄.....CENTERLINE
- PG.....PAGE
- POB.....POINT OF BEGINNING
- ROW.....RIGHT OF WAY

EXISTING MAINTAINED ROW.....0.455 AC±
FEE SIMPLE ACQUISITION.....1.542 AC±
TOTAL FEE SIMPLE ACQUISITION.....1.997 AC±

EXHIBIT "B-1"

No Fee Document – Per Government Code §6103 & §27383
No Documentary Transfer Tax – Per R&T Code §11922

Recording Requested By and When Recorded Return To:

City of Elk Grove
Attn: City Clerk
8401 Laguna Palms Way
Elk Grove, CA 95758

Mail Tax Statements To:

Satpal and Vidya Shergill
P.O. Box 250
Elk Grove, CA 95759

Project Name: Kammerer Road Extension Project,
Phase I /II (WTR017/WTR018)
APN: ptn. of 132-0300-023

The Above Space for Recorder's Use Only

GRANT OF EASEMENT

(for Public Facilities and Public Utilities)

The undersigned hereby declare Documentary transfer tax is \$ 0.00

[] Unincorporated Area [X] City of Elk Grove R&T Code §11922 Governmental agency acquiring title

FOR VALUABLE CONSIDERATION, receipt and sufficiency of which is hereby acknowledged, **SATPAL S. SHERGILL and VIDYA W. SHERGILL, Trustees of the Satpal S. Shergill and Vidya W. Shergill Revocable Living Trust dated April 12, 2007** (“GRANTOR”) hereby grants to the **CITY OF ELK GROVE, a municipal corporation** (“GRANTEE”) an Easement for Public Facilities and Public Utilities (“Public Facilities and Public Utilities Easement”), inclusive of drainage facilities, multi-use paths, bus shelters, traffic signal facilities, traffic control devices and other signage including foundations, standards, conduit, installation and maintenance of electroliners, (altogether “Public Facilities”), underground electrical lines, conduits, wires and cables, water, recycled water lines and gas pipes, sewer pipes, drainage pipes, television, telephone and communication services (altogether “Public Utilities”), and for other incidental purposes as deemed necessary by the City; all together with any and all appurtenances pertaining thereto, including the right to excavate, construct, reconstruct, repair, operate and forever maintain said Public Facilities and Public Utilities appertaining thereto, including a right-of-way over, upon and across all that real property situated in the City of Elk Grove, County of Sacramento, State of California, described as follows:

See Exhibit “A”, legal description and Exhibit “B”, plat to accompany legal description, attached hereto and made a part hereof.

Together with the right of ingress and egress from said Easement Areas, for the purposes of exercising and performing all of the rights and privileges herein granted.

No above-ground Public Utilities shall be allowed within the Easement Area, excepting any above-ground service boxes. Above-ground service equipment shall be limited to five (5) feet in exposed height. The City, in its sole discretion, shall make the final determination as to where the Public Utilities will locate initially so that such location shall not conflict with the City’s Public Facilities. Public Utilities shall receive approval of their joint trench location and design prior to locating and shall place Public Utilities at the ultimate grade in connection with the ultimate roadway design (City coordination is required).

*Signature Page attached hereto and made a part hereof

EXHIBIT "B-1"

Page 2 of 2

**Signature Page to Grant of Easement*

Date of Document: _____

Executed this _____ day of _____, 20__

GRANTOR: SATPAL S. SHERGILL and VIDYA W. SHERGILL, Trustees of the Satpal S. Shergill and Vidya W. Shergill Revocable Living Trust dated April 12, 2007

By: _____
Satpal S. Shergill, as Trustee of the Satpal S. Shergill and
Vidya W. Shergill Revocable Living Trust dated April
12, 2007

By: _____
Vidya W. Shergill, as Trustee of the Satpal S. Shergill
and Vidya W. Shergill Revocable Living Trust dated
April 12, 2007

EXHIBIT "B-2"
EXHIBIT "A"
PORTION OF APN: 132-0300-023
PUBLIC FACILITIES &
PUBLIC UTILITY EASEMENT

All that real property situated in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

All that portion of Section 14, Township 6 North, Range 5 East, Mount Diablo Meridian, being a portion of the parcel of land described in Grant Deed to Satpal S. Shergill & Vidya W. Shergill Revocable living trust, recorded in Book 20070412, at Page 0875, Official Records of Sacramento County and being more particularly described as follows:

Commencing at the Southeast corner of said Shergill parcel, said point being the intersection of the centerline of Kammerer Road and the East line of the Northwest $\frac{1}{4}$ of said Section 14; thence along the South line of said Shergill parcel, said line also being the South line of the Northeast $\frac{1}{4}$ of Section 14 and the centerline of Kammerer Road South $88^{\circ}36'44''$ West, 991.54 feet to the Southwest corner of said Shergill parcel; thence along the West line of said Shergill parcel being the West line of the East $\frac{1}{2}$ of the East 60 Acres of the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of said Section 14, North $01^{\circ}13'38''$ West, 90.16 feet to the **True Point of Beginning**; thence leaving said West line, along a non-tangent curve to the right having a radius of 10,048.00 feet, with a radial bearing of North $00^{\circ}13'58''$ East, through a central angle of $00^{\circ}34'27''$, having an arc length of 100.68 feet, subtended by a chord bearing of South $89^{\circ}28'49''$ East, 100.67 feet; thence South $89^{\circ}11'35''$ East, 234.01 feet; thence North $89^{\circ}04'39''$ East, 203.20 feet; thence North $87^{\circ}03'02''$ East, 185.03 feet; thence North $00^{\circ}56'53''$ West, 19.00 feet; thence North $89^{\circ}03'07''$ East, 28.00 feet; thence South $00^{\circ}56'53''$ East, 7.00 feet; thence North $89^{\circ}03'07''$ East, 143.84 feet; thence along a curve to the left having a radius of 33.00 feet, through a central angle of $90^{\circ}16'45''$, having an arc length of 52.00 feet; subtended by a chord bearing North $43^{\circ}54'45''$ East, 46.78 feet; thence North $01^{\circ}13'38''$ West, 2.84 feet; thence South $89^{\circ}03'07''$ West, 204.86 feet; thence South $83^{\circ}20'54''$ West, 185.78 feet; thence South $89^{\circ}04'39''$ West, 202.66 feet; thence North $89^{\circ}11'35''$ West, 233.46 feet; thence along a curve to the left having a radius of 10084.00 feet, through a central angle of $00^{\circ}34'36''$, having an arc length of 101.98 feet; subtended by a chord bearing North $89^{\circ}28'58''$ West, 101.98 feet to the West line of said Shergill parcel; thence along said West line South $01^{\circ}13'38''$ East, 36.01 feet to the True Point of Beginning, containing 0.782 acres more or less.

See Exhibit "B" attached hereto and made a part of this description.

End of Description

EXHIBIT "A"
PORTION OF APN: 132-0300-023
PUBLIC FACILITIES &
PUBLIC UTILITY EASEMENT

The **Basis of Bearings** for this legal description is the centerline of Kammerer Road as shown on the Record of Survey filed in Book 91 of Surveys, at Page 18, of Official Records of Sacramento County.

This description has been prepared by me or under my direct supervision in conformance with the Professional Land Surveyors Act.



Ryan L Ming, P.L.S. 8409

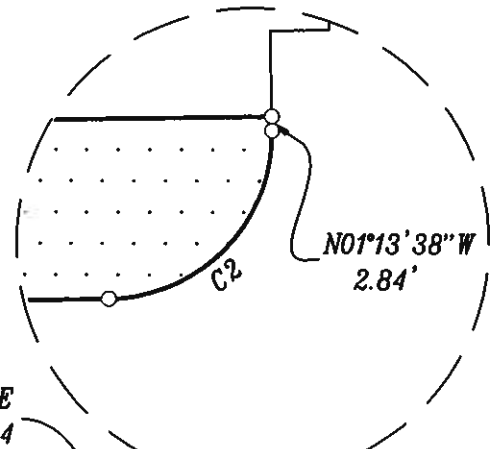
1.27.2020
Date





1"=200'

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	10,048'	00°34'27"	100.68'	S89°28'49"E 100.67'
C2	33.00'	90°16'45"	52.00'	N43°54'45"E 46.78'



DETAIL "A"
NOT TO SCALE

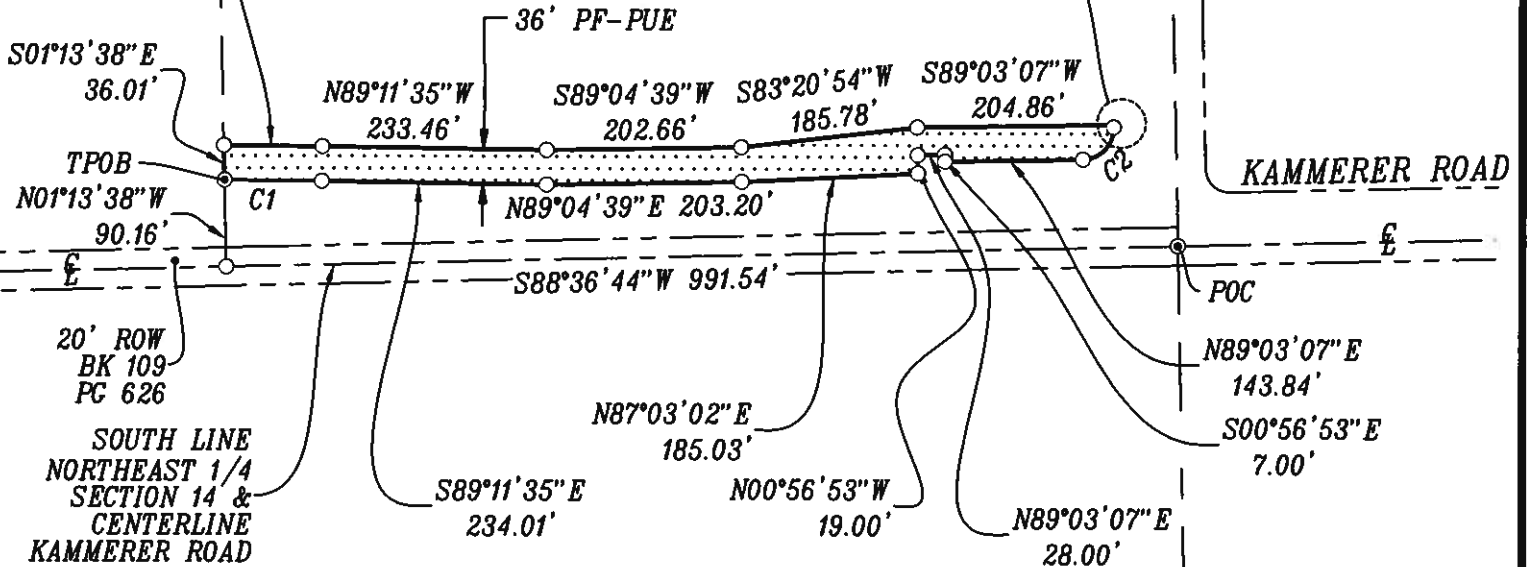
WEST LINE OF EAST 1/2
THE EAST 60 ACRES OF THE
SOUTH 1/2 OF THE NW-1/4
SECTION 14

EAST LINE
NW-1/4 SECTION 14

SHERGILL
BK 20070412 PG 0875
APN: 132-0300-023

CH=N89°28'58"W 101.98'
Δ=00°34'46"
R=10084.00'
L=101.98'

SEE DETAIL
"A"



LEGEND

- PUBLIC FACILITIES & PUBLIC UTILITY EASEMENT 0.782 AC±
- APN.....ASSESSORS PARCEL NUMBER
- BK.....BOOK
- ℄.....CENTERLINE
- PG.....PAGE
- POC.....POINT OF COMMENCEMENT
- ROW.....RIGHT OF WAY
- TPOB.....POINT OF BEGINNING



EXHIBIT B

PUBLIC FACILITIES & PUBLIC UTILITY EASEMENT
PORTION APN:132-0300-023



110 BLUE RAVINE RD SUITE 101 | FOLSOM, CA 95630
PHONE: 916.900.6623 | unicoengineering.com

EXHIBIT "C-1"

No Fee Document – Per Government Code §6103 & §27383
No Documentary Transfer Tax – Per R&T Code §11922

Recording Requested By and When Recorded Return To:

City of Elk Grove
Attn: City Clerk
8401 Laguna Palms Way
Elk Grove, CA 95758

Mail Tax Statements To:

Satpal and Vidya Shergill
P.O. Box 250
Elk Grove, CA 95759

Project Name: Kammerer Road Extension Project, Phase I/II
(WTR017/WTR018)

APN: ptn. of 132-0300-023

The Above Space For Recorder's Use Only

TEMPORARY CONSTRUCTION EASEMENT

The undersigned hereby declare Documentary transfer tax is \$ 0.00

[] Unincorporated Area [X] City of Elk Grove R&T Code §11922 Governmental agency acquiring title

FOR VALUABLE CONSIDERATION, receipt and sufficiency of which is hereby acknowledged, **SATPAL S. SHERGILL and VIDYA W. SHERGILL, Trustees of the Satpal S. Shergill and Vidya W. Shergill Revocable Living Trust dated April 12, 2007** (“GRANTOR”), hereby grant to the **CITY OF ELK GROVE, a municipal corporation** (“Grantee”), its successors and assigns, a TEMPORARY CONSTRUCTION EASEMENT (“EASEMENT”) for the purpose of public use, inclusive of ingress and egress, including construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public rights-of way, highways, roadways, services, utilities, landscape improvements, and necessary appurtenances thereto, on, over, under and across all that real property situated in the City of Elk Grove, County of Sacramento, State of California, described as follows:

See Exhibit “A”, legal description, and Exhibit “B”, plat to accompany legal description, attached hereto and incorporated herein by this reference.

Easement shall become effective on the date the GRANTEE issues Notice to Proceed to the contractor for construction of the Kammerer Road Extension Project, Phase 1 Project (“Project”) and shall terminate twenty-four (24) months from the date of Notice to Proceed, unless extended by the GRANTEE, for up to twelve (12) months.

GRANTEE shall record a Quitclaim Deed releasing all GRANTEE’s right, title and interest in and to this Easement, no later than 60 calendar days following the expiration of the Temporary Construction Easement.

Executed this ____ day of _____, 20____

GRANTOR: SATPAL S. SHERGILL and VIDYA W. SHERGILL, Trustees of the Satpal S. Shergill and Vidya W. Shergill Revocable Living Trust dated April 12, 2007

By: _____
Satpal S. Shergill, as Trustee of the Satpal S. Shergill and Vidya W. Shergill Revocable Living Trust dated April 12, 2007

By: _____
Vidya W. Shergill, as Trustee of the Satpal S. Shergill and Vidya W. Shergill Revocable Living Trust dated April 12, 2007

THIS TRANSACTION IS EXEMPT FROM CALIFORNIA DOCUMENTARY TRANSFER TAX PURSUANT TO SECTION 11922 OF THE CALIFORNIA REVENUE AND TAXATION CODE. THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT TO SECTIONS 6103 and 27383 OF THE CALIFORNIA GOVERNMENT CODE.

EXHIBIT "C-2"

EXHIBIT "A"

**PORTION OF APN: 132-0300-023
TEMPORARY CONSTRUCTION EASEMENT**

All that real property situated in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

All that portion of Section 14, Township 6 North, Range 5 East, Mount Diablo Meridian, being a portion of the parcel of land described in Grant Deed to Satpal S. Shergill & Vidya W. Shergill Revocable living trust, recorded in Book 20070412, at Page 0875, Official Records of Sacramento County and being more particularly described as follows:

A ten-foot (10') strip of land lying northerly of the following described line:

Commencing at the Southeast corner of said Shergill parcel, said point being the intersection of the centerline of Kammerer Road and the East line of the Northwest $\frac{1}{4}$ of said Section 14; thence along the South line of said Shergill parcel, said line also being the South line of the Northeast $\frac{1}{4}$ of Section 14 and the centerline of Kammerer Road South $88^{\circ}36'44''$ West, 991.54 feet to the Southwest corner of said Shergill parcel; thence along the West line of said Shergill parcel being the West line of the East $\frac{1}{2}$ of the East 60 Acres of the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of said Section 14, North $01^{\circ}13'38''$ West, 126.17 feet to the **True Point of Beginning**; thence along a non-tangent curve to the right having a radius of 10,084.00 feet, with a radial bearing of North $00^{\circ}13'39''$ East, through a central angle of $00^{\circ}34'46''$, having an arc length of 101.98 feet, subtended by a chord bearing of South $89^{\circ}28'58''$ East, 101.98 feet; thence South $89^{\circ}11'35''$ East, 233.46 feet; thence North $89^{\circ}04'39''$ East, 202.66 feet; thence North $83^{\circ}20'54''$ East, 79.60 feet to the point of terminus, containing 0.142 acres more or less

See Exhibit "B" attached hereto and made a part of this description.

End of Description

The **Basis of Bearings** for this legal description is the centerline of Kammerer Road as shown on the Record of Survey filed in Book 91 of Surveys, at Page 18, of Official Records of Sacramento County.

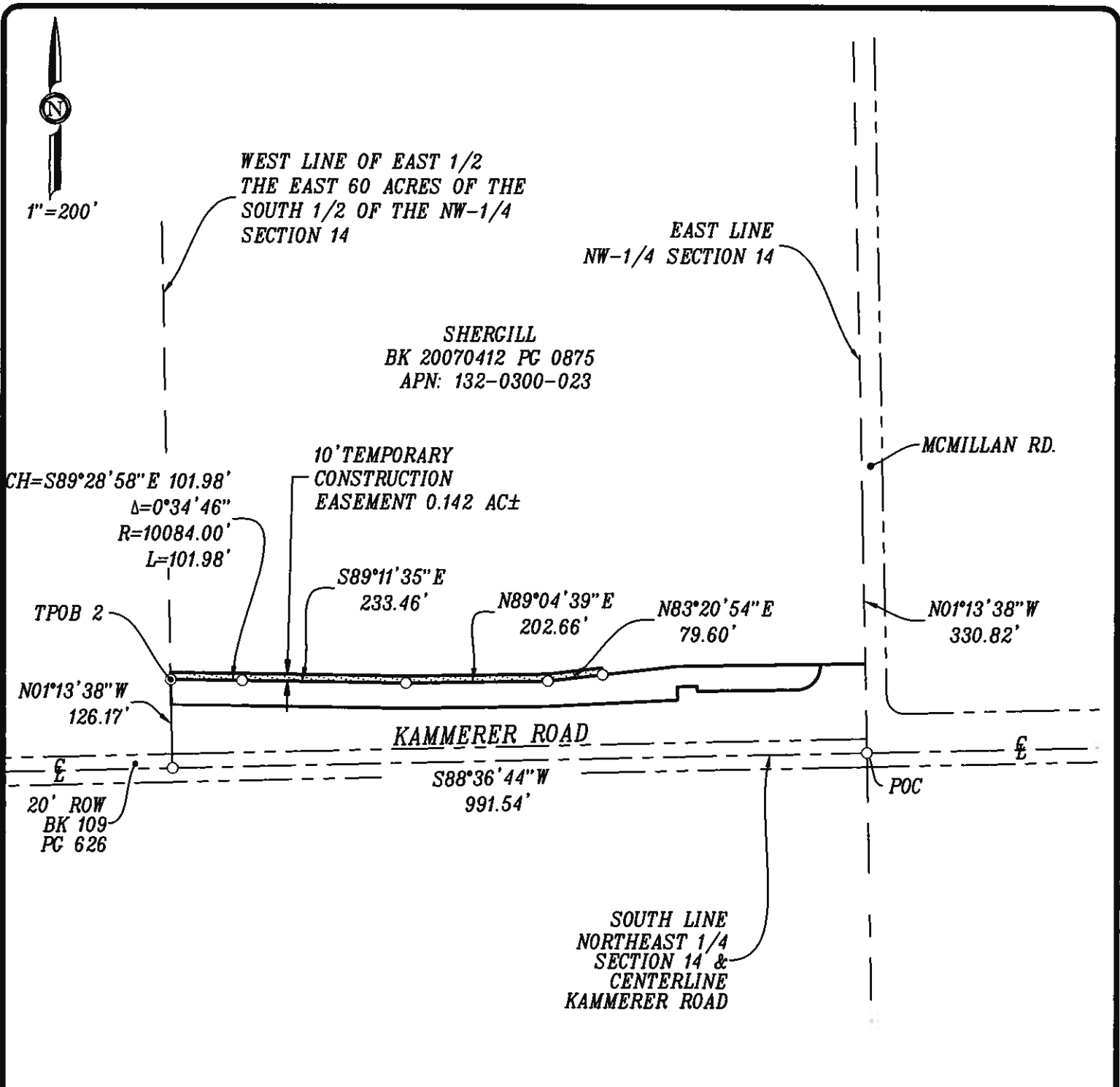
This description has been prepared by me or under my direct supervision in conformance with the Professional Land Surveyors Act.



Ryan L Ming, P.L.S. 8409

1-27-2020
Date





LEGEND

- TEMPORARY CONSTRUCTION EASEMENT 0.142 AC±
- APN.....ASSESSORS PARCEL NUMBER
- BK.....BOOK
- ℄.....CENTERLINE
- PG.....PAGE
- POC.....POINT OF COMMENCEMENT
- ROW.....RIGHT OF WAY
- TPOB.....POINT OF BEGINNING



EXHIBIT B

TEMPORARY CONSTRUCTION EASEMENT
PORTION OF APN:132-0300-023



110 BLUE RAVINE RD SUITE 101 | FOLSOM, CA 95630
PHONE: 916.900.6623 | uniconengineering.com

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2020-153**

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

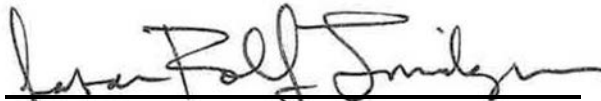
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on June 24, 2020 by the following vote:

AYES: COUNCILMEMBERS: *Ly, Detrick, Hume, Suen*

NOES: COUNCILMEMBERS: *None*

ABSTAIN: COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *Nguyen*



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