

**RESOLUTION NO. 2021-161**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
APPROVING THE VACATION OF PUBLIC RIGHT-OF-WAY, A PUBLIC UTILITY  
EASEMENT, A LANDSCAPE EASEMENT, AND THE RESTRICTION OF  
INGRESS/EGRESS RIGHTS OVER THE ARCO AM/PM SERVICE STATION  
LOCATED AT 9590 HARBOUR POINT DRIVE (CEQA EXEMPT)**

**WHEREAS**, the Planning Commission approved a Conditional Use Permit Amendment, a Minor Design Review, and a Tree Removal Permit for the ARCO AM/PM Car Wash Expansion Project (PLNG20-020) (Project); and

**WHEREAS**, the Project consists of the demolition of the existing ±1,294-square foot automatic car wash and replacement with a new, ±2,250-square foot automatic car wash with utility room. Additional services would include covered vacuum areas, canopies, landscaping, lighting, and accessibility upgrades; and

**WHEREAS**, the Conditions of Approval for the Project require the Applicant to complete all abandonments prior to issuance of a building permit; and

**WHEREAS**, the City of Elk Grove, by incorporation, is the successor in interest to the 14-foot Landscape Easements (LE), the 12.5-foot Public Utility Easement (PUE), and the Ingress/Egress restrictions as dedicated to the County of Sacramento on the map titled "Portion of Section 31, T.7N., R.5E. And Section 6, T.6N., R.5E., M.D.M", filed in Book 151, Page 15 of Parcel Maps, records of Sacramento County; and

**WHEREAS**, the Applicant has provided verification that all facilities within the PUE have been removed and the utility companies do not object to the vacation of the PUE; and

**WHEREAS**, the proposed vacation is exempt from CEQA under State CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption) which states that an activity is exempt from CEQA where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA review; and

**WHEREAS**, based on staff's review of the vacations, no special circumstances exist that would create a reasonable possibility that approving the vacations will have a significant effect on the environment; and

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

- a. The Project is exempt from the provisions of the California Environmental Quality Act pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption).
- b. The vacation of the excess public right-of-way and the PUE is being made under the Streets and Highway Code, Division 9, Part 3, Chapter 3, General Vacation Procedure Sections 8320 through 8325 inclusive; and

- c. The public right-of-way, public utility easement, landscape easement, and ingress/egress restriction being vacated are described in the Legal Descriptions and Plats attached hereto as Exhibit A, Exhibit B, Exhibit C, and Exhibit D, respectively, and incorporated herein by reference.
- d. The proposed vacations are consistent with the City's General Plan and with Section 65402 of the Government Code.

**AND, BE IT FURTHER RESOLVED AND ORDERED** that the public right-of-way, public utility easement, landscape easement, and ingress/egress restriction as described in Exhibits A, B, C, and D are hereby vacated;

**AND, BE IT FINALLY RESOLVED** that the City Clerk of the City of Elk Grove shall cause a certified copy of this Resolution of Vacation and Exhibits A, B, C, and D attached hereto, attested to 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 this 23<sup>rd</sup> day of June 2021.



BOBBIE SINGH-ALLEN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,  
CITY ATTORNEY

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**RIGHT-OF-WAY ABANDONMENT**

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, BEING A PORTION OF ADJUSTED PARCEL 6, AS DESCRIBED IN THE LOT LINE ADJUSTMENT RESOLUTION NO. 01-BLS-0850, RECORDED IN BOOK 20020514 AT PAGE 0960, OFFICIAL RECORDS OF SACRAMENTO COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE INTERSECTION OF THE NORTH LINE OF SAID ADJUSTED PARCEL 6 AND THE WESTERLY RIGHT-OF-WAY LINE OF HARBOUR POINT DRIVE, AS DESCRIBED IN THE IRREVOCABLE OFFER OF DEDICATION RECORDED IN BOOK 910820 AT PAGE 0677, OFFICIAL RECORDS OF SACRAMENTO COUNTY, THENCE ALONG SAID NORTH LINE, SOUTH 86°48'55" EAST 5.70 FEET; THENCE LEAVING SAID NORTH LINE, SOUTH 00°05'31" EAST 100.53 FEET; THENCE SOUTH 06°14'25" WEST 17.40 FEET TO THE BEGINNING OF A TANGENT CURVE; THENCE SOUTHERLY ALONG THE ARC OF SAID TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1,500.00 FEET, THROUGH A CENTRAL ANGLE OF 3°54'22" FOR AN ARC LENGTH OF 102.26 FEET; THENCE SOUTH 10°08'47" WEST 57.97 FEET TO THE BEGINNING OF A TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 93°06'29" FOR AN ARC LENGTH OF 40.63 FEET; THENCE NORTH 61°56'42" WEST 90.90 FEET TO THE BEGINNING OF A NON-TANGENT CURVE; THENCE WESTERLY ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2,075.50 FEET AND A RADIAL BEARING OF SOUTH°14'09"21" WEST, THROUGH A CENTRAL ANGLE OF 2°35'59" FOR AN ARC LENGTH OF 94.17 FEET TO THE BEGINNING OF A REVERSE CURVE; THENCE NORTHWESTERLY ALONG THE ARC OF SAID REVERSE CURVE TO THE RIGHT, HAVING A RADIUS OF 8.50 FEET AND A CENTRAL ANGLE OF 80°05'06" FOR AN ARC LENGTH OF 11.88 FEET; THENCE NORTH 01°38'28" EAST 8.55 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF ELK GROVE BOULEVARD, AS DESCRIBED IN SAID IRREVOCABLE OFFER OF DEDICATION, AND ALSO THE BEGINNING OF A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE OF ELK GROVE BOULEVARD AND HARBOUR POINT DRIVE, SAID RIGHT-OF-WAY BEING THE ARC OF SAID NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 230.00 FEET AND A RADIAL BEARING OF NORTH 00°02'55" EAST, THROUGH A CENTRAL ANGLE OF 86°26'17" FOR AN ARC LENGTH OF 346.98 FEET TO THE **POINT OF BEGINNING**.

CONTAINING A TOTAL AREA OF 0.499 ACRES, MORE OR LESS.

THE ATTACHED PLAT ENTITLED "EXHIBIT B" ARE MADE A PART OF THIS LEGAL DESCRIPTION.

**END OF DESCRIPTION**

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION PURSUANT TO THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.

*Jim C. Koo*

PREPARED BY: JIM C. KOO, P.L.S. 7829  
DATE: JULY 10, 2018



ADJUSTED  
PARCEL 2  
20020514 O.R.  
0960

ADJUSTED PARCEL 5  
20020514 O.R. 0960

506° 48' 55" E  
51.68'  
506° 48' 55" E  
5.70'  
P.O.B.

N90° 00' 00" E 256.61'

ADJUSTED PARCEL 4  
20020514 O.R. 0960

RIGHT-OF-WAY PER  
I.O.D., 910820 O.R. 0677

ADJUSTED PARCEL 6  
20020514 O.R. 960

RIGHT-OF-WAY  
AREA TO BE  
ABANDONED  
(0.499 ACRES)

506° 14' 25" W  
17.40'

$\Delta = 2^\circ 54' 44''$   
 $R = 230.00'$   
 $L = 11.69'$

N00° 02' 55" E (R)

$\Delta = 86^\circ 26' 17''$

$R = 230.00'$

$L = 346.98'$

100.53'

500° 05' 31" E

N87° 02' 21" W  
17.91'

$R = 8.50'$   
 $\Delta = 80^\circ 05' 06''$   
 $L = 11.88'$

$R = 2075.50'$   
 $\Delta = 2^\circ 35' 59''$   
 $L = 94.17'$

N01° 38' 28" E  
8.55'

514° 09' 21" W (R)

510° 08' 47" W  
57.97'

N61° 56' 42" W  
90.90'

$R = 25.00'$   
 $\Delta = 93^\circ 06' 29''$   
 $L = 40.63'$

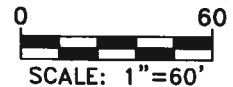
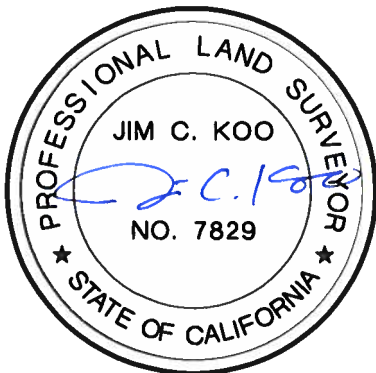
$\Delta = 3^\circ 54' 22''$

$R = 1500.00'$

$L = 102.26'$

HARBOUR POINT DRIVE

ELK GROVE BOULEVARD



**B** BURRELL  
CONSULTING  
GROUP, INC.  
1001 Enterprise Way, Suite 100  
Roseville, CA 95678 (916) 783-8898

APN: 119-1920-020  
ADJ. PARCEL 6 PER 20020514 O.R. 960  
**RIGHT-OF-WAY ABANDONMENT**

CITY OF ELK GROVE

CALIFORNIA

DRAWN BY: NSL  
CHECKED BY: JCK

DATE: 7/10/2018

**SHEET 1 OF 1**

JOB NO. 2135-00-1271

**EXHIBIT "B"**  
**LEGAL DESCRIPTION**  
**PUBLIC UTILITY EASEMENT ABANDONMENT**

BEING A PORTION OF ADJUSTED PARCEL 6 AS SHOWN IN BOOK 20020514 AT PAGE 960, OFFICIAL RECORDS OF SACRAMENTO COUNTY, SITUATED IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF PUBLIC UTILITY EASEMENT AS SHOWN ON THAT CERTAIN PARCEL MAP IN BOOK 151 OF PARCEL MAPS AT PAGE 15, SACRAMENTO COUNTY OFFICIAL RECORDS, LYING WITHIN SAID ADJUSTED PARCEL 6.

THE ATTACHED PLAT ENTITLED "EXHIBIT B" ARE MADE A PART OF THIS LEGAL DESCRIPTION.

**END OF DESCRIPTION**

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION PURSUANT TO THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.



PREPARED BY: JIM C. KOO, P.L.S. 7829  
DATE: AUGUST 17, 2018



ADJUSTED  
PARCEL 2  
20020514 O.R.  
0960

ADJUSTED PARCEL 5  
20020514 O.R. 0960

ADJUSTED PARCEL 4  
20020514 O.R. 0960

ADJUSTED PARCEL 6  
20020514 O.R. 960

N90°00'00"E 256.61'

586°23'22"E(R)

RIGHT-OF-WAY PER  
I.O.D., 910820 O.R. 0677

N00°43'19"E 214.30'

R=230.00'  
L=358.68'

12.5' P.U.E. PER  
151 P.M. 15  
TO BE ABANDONED



N87°02'21"W  
17.91'

Δ=89°21'01"

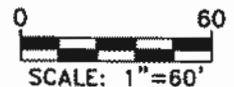
HARBOUR POINT DRIVE

ELK GROVE BOULEVARD



**ABBREVIATIONS**

P.U.E. .... PUBLIC UTILITY EASEMENT



**B** BURRELL  
CONSULTING  
GROUP, INC.  
1001 Enterprise Way, Suite 100  
Roseville, CA 95678 (916) 783-8898

APN: 119-1920-020  
ADJ. PARCEL 6 PER 20020514 O.R. 960  
**P.U.E. ABANDONMENT**

CITY OF ELK GROVE

CALIFORNIA

DRAWN BY: NSL  
CHECKED BY: JCK

DATE: 8/17/2018

**SHEET 1 OF 1**

JOB NO. 2135-00-1271

**EXHIBIT "C"**  
**LEGAL DESCRIPTION**  
**LANDSCAPE EASEMENT ABANDONMENT**

BEING A PORTION OF ADJUSTED PARCEL 6 AS SHOWN IN BOOK 20020514 AT PAGE 960, OFFICIAL RECORDS OF SACRAMENTO COUNTY, SITUATED IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF LANDSCAPE EASEMENT AS SHOWN ON THAT CERTAIN PARCEL MAP FILED IN BOOK 151 OF PARCEL MAPS AT PAGE 15, SACRAMENTO COUNTY RECORDS, LYING WITHIN SAID ADJUSTED PARCEL 6.

CONTAINING A TOTAL AREA OF 5,119 SQUARE FEET, MORE OR LESS.

THE ATTACHED PLAT ENTITLED "EXHIBIT B" ARE MADE A PART OF THIS LEGAL DESCRIPTION.

**END OF DESCRIPTION**

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION PURSUANT TO THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.



PREPARED BY: JIM C. KOO, P.L.S. 7829  
DATE: AUGUST 17, 2018





ADJUSTED  
PARCEL 2  
20020514 O.R.  
0960

ADJUSTED PARCEL 5  
20020514 O.R. 0960

ADJUSTED PARCEL 4  
20020514 O.R. 0960

ADJUSTED PARCEL 6  
20020514 O.R. 960



N00°43'19"E 214.30'

N90°00'00"E 256.61'

586°23'22"E(R)

RIGHT-OF-WAY PER  
I.O.D., 910820 O.R. 0677

14' L.E. PER  
151 P.M. 15  
TO BE ABANDONED

L=358.68'

R=230.00'

Δ=89°21'01"

N87°02'21"W  
17.91'

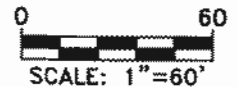
HARBOUR POINT DRIVE

ELK GROVE BOULEVARD



**ABBREVIATIONS**

L.E. .... LANDSCAPE EASEMENT



**B** BURRELL  
CONSULTING  
GROUP, INC.  
1001 Enterprise Way, Suite 100  
Roseville, CA 95678 (916) 783-8898

APN: 119-1920-020  
ADJ. PARCEL 6 PER 20020514 O.R. 960

**LANDSCAPE ABANDONMENT**

CITY OF ELK GROVE

CALIFORNIA

DRAWN BY: NSL  
CHECKED BY: JCK

DATE: 8/17/2018

**SHEET 1 OF 1**

JOB NO. 2135-00-1271

**EXHIBIT "D"**  
**LEGAL DESCRIPTION**  
**NO INGRESS/EGRESS RIGHTS ABANDONMENT**

BEING A PORTION OF ADJUSTED PARCEL 6 AS SHOWN IN BOOK 20020514 AT PAGE 960, OFFICIAL RECORDS OF SACRAMENTO COUNTY, SITUATED IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF NO INGRESS AND/OR EGRESS RIGHTS AS SHOWN ON THAT CERTAIN PARCEL MAP FILED IN BOOK 151 OF PARCEL MAPS AT PAGE 15, SACRAMENTO COUNTY OFFICIAL RECORDS, LYING WITHIN SAID ADJUSTED PARCEL 6.

THE ATTACHED PLAT ENTITLED "EXHIBIT B" ARE MADE A PART OF THIS LEGAL DESCRIPTION.

**END OF DESCRIPTION**

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION PURSUANT TO THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.



PREPARED BY: JIM C. KOO, P.L.S. 7829  
DATE: AUGUST 17, 2018



ADJUSTED  
PARCEL 2  
20020514 O.R.  
0960

ADJUSTED PARCEL 5  
20020514 O.R. 0960

ADJUSTED PARCEL 4  
20020514 O.R. 0960

$586^{\circ}23'22''E(R)$   
 $N90^{\circ}00'00''E$  256.61'

NO INGRESS/EGRESS RIGHTS  
PER 151 P.M. 15

ADJUSTED PARCEL 6  
20020514 O.R. 960

$N00^{\circ}43'19''E$  214.30'



$L=358.68'$   
 $R=230.00'$

HARBOUR POINT DRIVE

$N07^{\circ}02'21''W$   
17.91'

$\Delta=89^{\circ}21'01''$

ELK GROVE BOULEVARD



0 60  
SCALE: 1"=60'

**B** BURRELL  
CONSULTING  
GROUP, INC.  
1001 Enterprise Way, Suite 100  
Roseville, CA 95678 (916) 783-8898

APN: 119-1920-020  
ADJ. PARCEL 6 PER 20020514 O.R. 960

**NO INGRESS/EGRESS ABANDONMENT**

CITY OF ELK GROVE

CALIFORNIA

DRAWN BY: NSL  
CHECKED BY: JCK

DATE: 8/17/2018

**SHEET 1 OF 1**

JOB NO. 2135-00-1271

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2021-161**

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 23, 2021 by the following vote:*

**AYES:**        **COUNCILMEMBERS:** *Singh-Allen, Nguyen, Hume, Spease, Suen*

**NOES:**       **COUNCILMEMBERS:** *None*

**ABSTAIN:**   **COUNCILMEMBERS:** *None*

**ABSENT:**   **COUNCILMEMBERS:** *None*

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