

RESOLUTION NO. 2021-246

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING THE VACATION OF RESTRICTION OF INGRESS/EGRESS RIGHTS
ALONG POPPYSEED LANE FOR THE RESIDENTIAL PARCEL AT
8510 POPPYSEED LANE, APN 123-0160-032 (CEQA EXEMPT)**

WHEREAS, on February 6, 2007, the City approved Taft Parcel Map (Parcel Map No. 05-849.00), filed for record in Book 199 of Parcel Maps, Page 9 of Sacramento County Records. On that map, an exclusive right of vehicular ingress or egress was granted to the City along the frontage of Poppyseed Lane, a private road; and

WHEREAS, the access restriction was a condition of approval (COA #19) placed upon the map due to the former owner wanting to remove the newly-created parcels from the private road maintenance agreement for Poppyseed Lane; and

WHEREAS, Tamara Scott and Steven Cartwright of Cartwright Family Trust (the "Applicant"), the current owner of 8510 Poppyseed Lane seeks to build a new home on the PARCEL "B" with primary driveway access to Poppyseed Lane; and

WHEREAS, the Applicant has entered into a new private road maintenance agreement with neighboring landowners for the repair and maintenance of Poppyseed Lane; 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 vacation, no special circumstances exist that would create a reasonable possibility that approving the vacation will have a significant effect on the environment.

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

- 1) That the Project is exempt from the provisions of the California Environmental Quality Act pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption).
- 2) The vacation of the vehicular ingress or egress rights is being made under the Streets and Highway Code, Division 9, Part 3, Chapter 3, General Vacation Procedure Sections 8320 through 8325 inclusive; and
- 3) The restriction being vacated is described in Exhibit "A" Legal Description and Exhibit "B" Plat, attached hereto and incorporated herein by reference; and

4) The proposed vacation is consistent with the City's General Plan and with Section 65402 of the Government Code.

AND, BE IT FURTHER RESOLVED AND ORDERED that the ingress/egress restriction as described in Exhibit "A" and Exhibit "B" is hereby vacated;

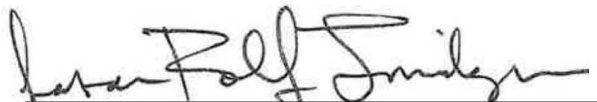
AND, BE IT FINALLY RESOLVED that the City Clerk of the City of Elk Grove shall cause a certified copy of this Resolution of Vacation and Exhibit "A" and Exhibit "B" attached hereto, attested to by the Clerk under seal, to be recorded in the Office of the County Recorder of the County of Sacramento.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 25th day of August 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"

ABANDONMENT OF NO INGRESS OR EGRESS RIGHTS LINE

That certain real property situated in the State of California, County of Sacramento, City of Elk Grove, located in the Northwest quarter of Section 23, Township 7 North, Range 6 East, M.D.M., being more particularly described as follows:

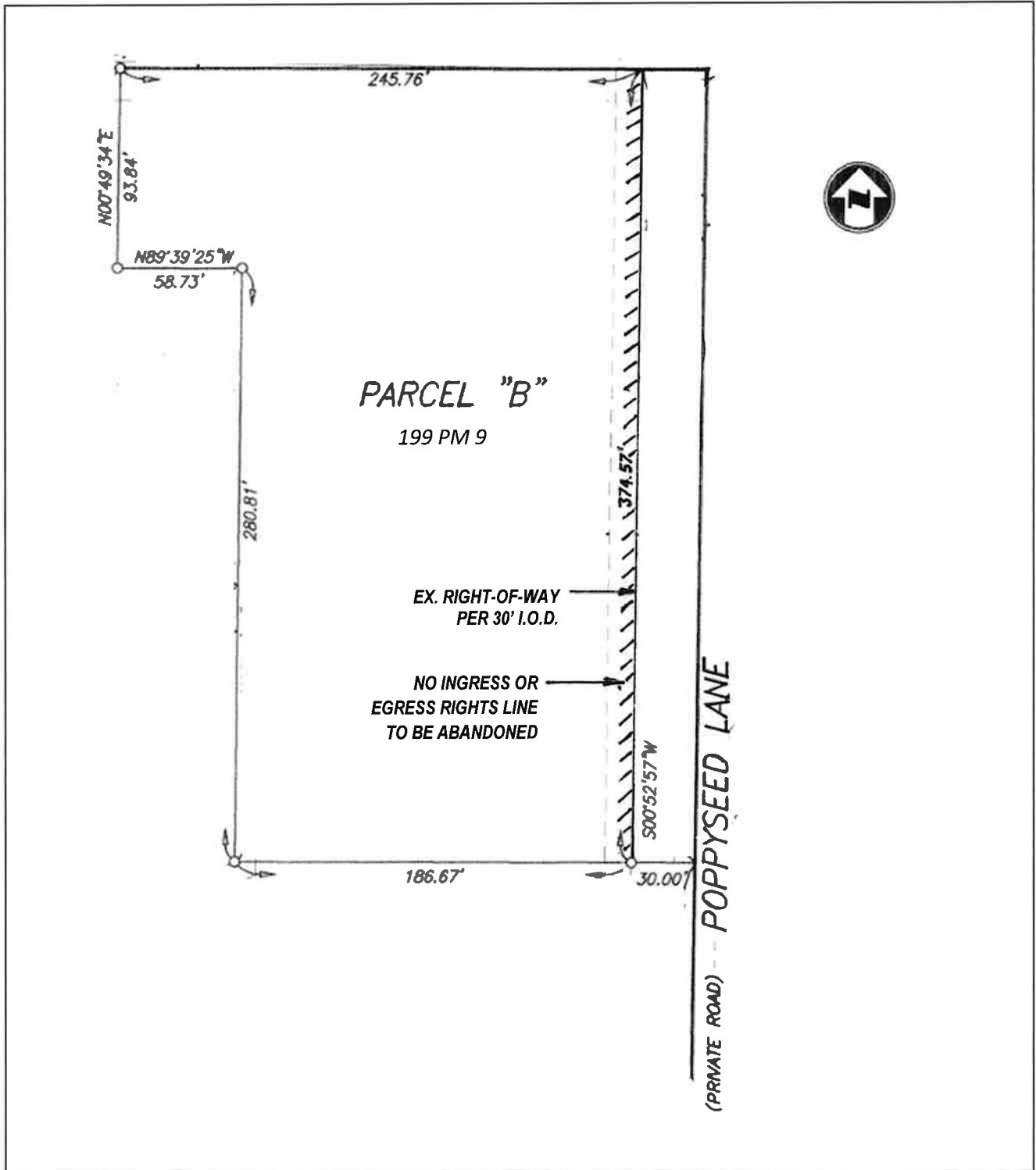
All that portion of the NO INGRESS OR EGRESS RIGHTS line lying within PARCEL "B" as shown on that certain parcel map entitled "PARCEL MAP NO. 05-849.00, TAFT PARCEL MAP", filed in Book 199 of Parcel Maps at page 9, official records of Sacramento County.

See Exhibit "B" attached hereto and made a part hereof.

END OF DESCRIPTION

EXHIBIT "B"

ABANDONMENT OF NO INGRESS OR EGRESS RIGHTS LINE



CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2021-246

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

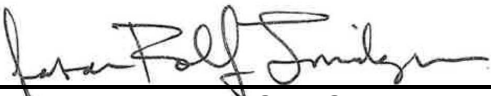
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on August 25, 2021 by the following vote:

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