

NO FEE DOCUMENT

Government Code Section 6103

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

City of Elk Grove
Office of the City Clerk
8380 Laguna Palms Way
Elk Grove, CA 95758

Attention: City Clerk
Phone: (916) 683-7111



Sacramento County Recording
Mark Norris, Clerk/Recorder
BOOK **20041209** PAGE **1070**
Thursday, DEC 09, 2004 12:55:06 PM
Ttl Pd \$0.00 Nbr-0003248543
SJS/57/1-5

RESOLUTION NO. 2004-295

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE TO
VACATE THE EXCLUSIVE RIGHT OF VEHICULAR INGRESS AND/OR EGRESS
ACROSS A PORTION OF HARBOUR POINT DRIVE AND/OR ACROSS A PORTION
OF ELK GROVE BOULEVARD**

WHEREAS, the City received a petition to vacate from owners of property within the City of Elk Grove requesting the City Council of the City of Elk Grove to consider vacation of the subject property; and

WHEREAS, a notice that the City Council of the City of Elk Grove would consider the proposed vacation at a Public Hearing was given in compliance with California Streets and Highways Code, Section 8300, et seq.; and

WHEREAS, the standards and procedures provided in the Public Streets, Highways and Service Easements Vacation Law, California Streets and Highways Code Section 8300 et seq, the City Council of the City of Elk Grove hereby declares its intention to vacate portions of a restricted vehicular access easement along the easterly Right-of-Way line of Harbour Point Drive and along the northeasterly Right-of-Way line of Elk Grove Boulevard on Assessor's Parcel No. 119-0120-134, created by that certain Parcel Map No. 01-0778 as filed in Book 165 of Parcel Maps at Page 7, Official Records of Sacramento, California, specifically shown on the attached Exhibits; and

WHEREAS, the City of Elk Grove Planning Department has reviewed this project and is recommending that the City Council of the City of Elk Grove find said vacation as described in the attached exhibits exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15305 of the CEQA Guidelines; and

WHEREAS, the City of Elk Grove Planning Department has determined that the vacation is consistent with the General Plan and all elements thereof.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elk Grove, a political subdivision of the State of California that this City Council hereby finds as follows:

- a. That said vacation would be consistent with, and not violate the General Plan and all elements and components thereof for the City of Elk Grove; and
- b. That the Exclusive Right of Ingress and Egress is no longer needed in these locations because the City has approved a site plan that allows for new driveway locations and the remaining frontage has existing ingress and egress restrictions in place; and
- c. That the public interest will be served by the herein vacation.

BE IT FURTHER RESOLVED AND ORDERED that the Exclusive Right of Ingress and Egress over portions of the property as described in the attached Exhibit "A" – Legal Description, "B" - Plat are hereby vacated.

BE IT FINALLY RESOLVED AND ORDERED that the City Clerk of the Elk Grove City Council shall cause a certified copy of this Resolution of Vacation, attested by the Clerk under seal, to be recorded in the office of the Recorder of the County of Sacramento.

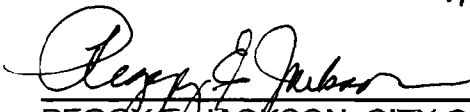
PASSED AND ADOPTED by the City Council of the City of Elk Grove this 1st day of December 2004.





SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

EXHIBIT "A"

LEGAL DESCRIPTION FOR ABANDONMENT OF RELINQUISHMENT OF ACCESS RIGHTS (APN: 119-012-134)

BEING A PORTION OF THE PROPERTY SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SACRAMENTO, DESCRIBED AS FOLLOWS:

PORTION OF PARCEL 2 AS SHOWN ON THAT CERTAIN PARCEL MAP NO. 01-0778 FILED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY RECORDER OF SACRAMENTO COUNTY, ON MARCH 27, 2002, IN BOOK 165 OF PARCEL MAPS, PAGE 7, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AREA 1:

BEGINNING AT A POINT ON THE EASTERLY LINE OF HARBOUR POINT DRIVE, SAID POINT BEING ON THE WESTERLY LINE OF SAID PARCEL 2, AND BEARING SOUTH 00° 43' 53" WEST 25.74 FEET FROM THE MOST NORTHWESTERLY CORNER OF SAID PARCEL 2; THENCE FROM SAID POINT OF BEGINNING ALONG SAID WESTERLY PARCEL LINE OF PARCEL TWO, THE FOLLOWING FIVE (5) COURSES:

- 1) SOUTH 00° 43' 53" WEST 15.09 FEET;
- 2) SOUTH 83° 02' 34" EAST 5.04 FEET;
- 3) SOUTH 07° 18' 21" WEST 25.06 FEET;
- 4) NORTH 82° 20' 43" WEST 5.04 FEET TO A NONTANGENT 2054.00 FOOT RADIUS CURVE, CONCAVE WESTERLY, HAVING A RADIAL BEARING AT SAID POINT OF SOUTH 82° 20' 43" EAST; AND
- 5) ALONG SAID CURVE, SOUTHERLY, THROUGH A CENTRAL ANGLE OF 00° 08' 20", A DISTANCE OF 4.98 FEET TO THE POINT OF TERMINATION OF THIS DESCRIPTION.

AREA 2:

BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF ELK GROVE BOULEVARD, SAID POINT BEING ON THE SOUTHWESTERLY LINE OF SAID PARCEL 2, FROM WHICH POINT THE NORTHWESTERLY TERMINATION OF THE SOUTHWESTERLY LINE HAVING A BEARING OF NORTH 58° 32' 59"

WEST BEARS NORTH 58° 32' 59" WEST, 1.58 FEET; THENCE ALONG SAID SOUTHWESTERLY LINE THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 58° 32' 59" WEST, 1.58 FEET TO A NONTANGENT 2064.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIAL BEARING AT SAID POINT OF NORTH 25° 48' 28" EAST; AND
- 2) ALONG SAID CURVE, NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 01° 12' 20", A DISTANCE OF 43.42 FEET TO THE POINT OF TERMINATION OF THIS DESCRIPTION.

AREA 3:

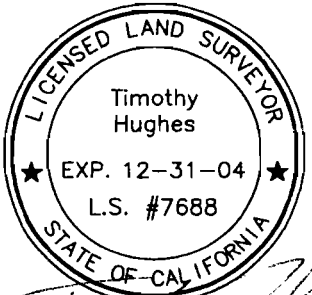
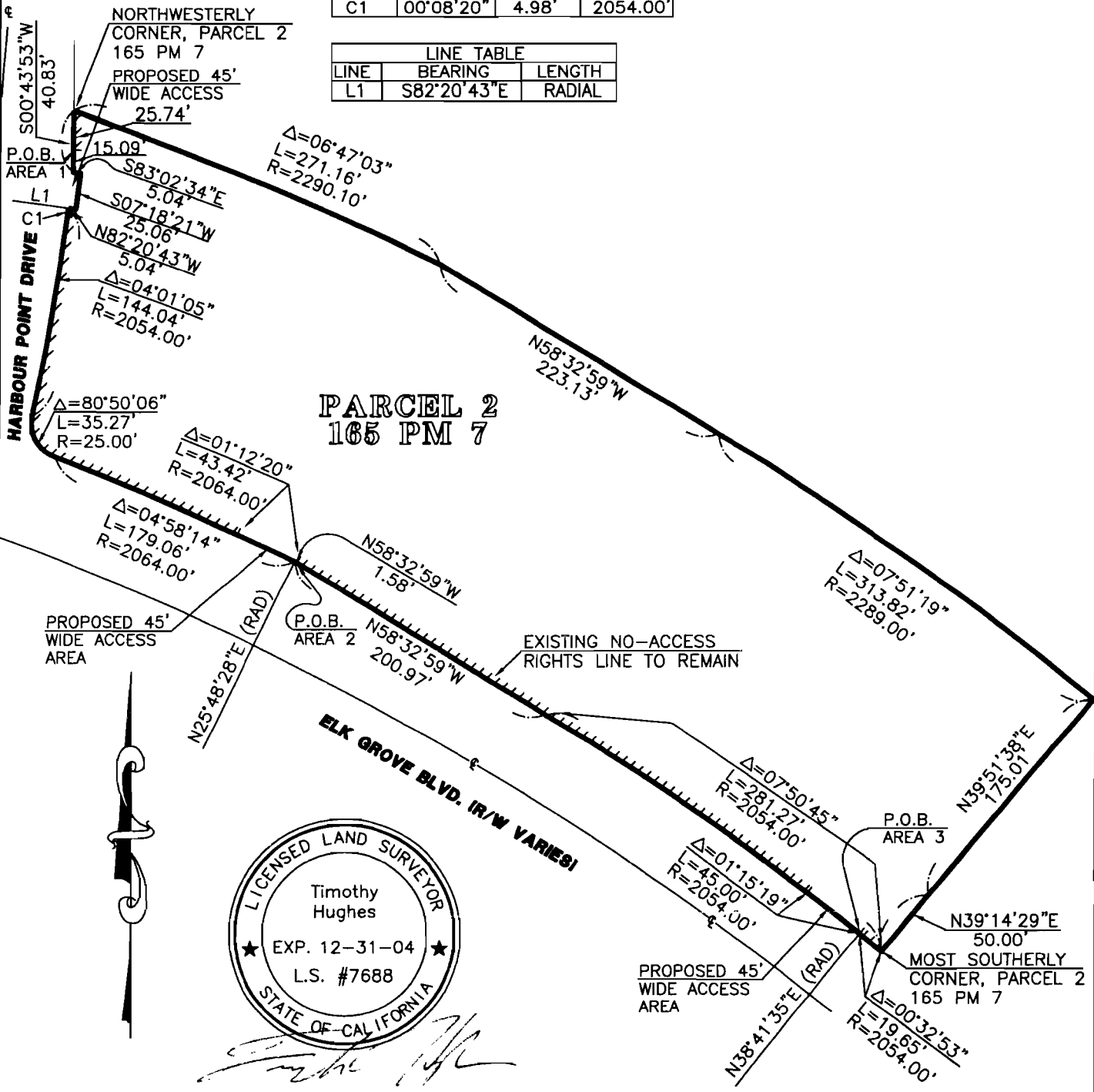
BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF ELK GROVE BOULEVARD, SAID POINT BEING ON THE SOUTHWESTERLY LINE OF SAID PARCEL 2, SAID POINT ALSO BEING ON A 2054.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIAL BEARING AT SAID POINT OF NORTH 38° 41' 35" EAST, FROM WHICH POINT THE MOST SOUTHERLY CORNER OF SAID PARCEL 2 LIES SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE, THROUGH A CENTRAL ANGLE OF 00° 32' 53", AN ARC LENGTH OF 19.65 FEET, THENCE ALONG SAID SOUTHWESTERLY LINE, NORTHWESTERLY THROUGH A CENTRAL ANGLE OF 01° 15' 19", AN ARC LENGTH OF 45.00 FEET TO THE POINT OF TERMINATION OF THIS DESCRIPTION.



A handwritten signature in black ink, appearing to read "Timothy Hughes", written below the professional seal.

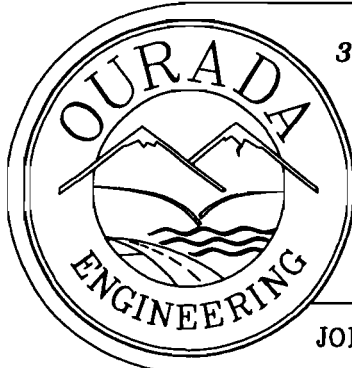
CURVE TABLE			
CURVE	ANGLE	LENGTH	RADIUS
C1	00°08'20"	4.98'	2054.00'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S82°20'43"E	RADIAL



Timothy Hughes

EXHIBIT "B"
RELINQUISHMENT OF
NO-ACCESS RIGHTS
 PORTION OF PARCEL 2
 PM #01-0778 (165 PM 7)
 ELK GROVE, CA.
 SCALE: 1"=100'



3111 SUNSET BLVD., SUITE L
 ROCKLIN, CA 95677
 PHONE: (916) 624-1221
 FAX: (916) 624-1232

SURVEYOR: TIMOTHY HUGHES
 DATE: 7/14/04

JOB NO: JW-956

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2004-295**

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

I, Peggy E. Jackson, 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 the 1st day of December 2004 by the following vote:


AYES 5: COUNCILMEMBERS: Scherman, Soares, Briggs, Cooper, Leary

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 0: COUNCILMEMBERS:





**Peggy E. Jackson, City Clerk
City of Elk Grove, California**