

RESOLUTION NO. 2009-233

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
QUITCLAIMING A PORTION OF ABANDONED EAST STOCKTON BOULEVARD TO
ELK GROVE V PARTNERS, LLC PURSUANT TO AN AGREEMENT**

WHEREAS, the City of Elk Grove has constructed the Grant Line Interchange Project and the Interchange is open to the public for travel; and

WHEREAS, the East Stockton Boulevard has been re-aligned by the construction of the Grant Line Interchange and is open to the public for travel; and

WHEREAS, the City of Elk Grove has abandoned those portions of East Stockton by City Council by a separate resolution leaving the property un-encumbered as a public street; and

WHEREAS, the City of Elk Grove owns the underlying fee to the abandoned East Stockton Boulevard; and

WHEREAS, pursuant to Resolution No. 2006-313 the City has entered into an agreement with Elk Grove V Partners, LLC et. al. to convey portions of the abandoned East Stockton Boulevard; and

WHEREAS, in conformance with the Division 9, Part 3, Chapter 6, Effect of Vacation, Section 8356 (a) and in accordance with the approved Resolution No 2006-313, the City of Elk Grove desires to quitclaim that portion of East Stockton Boulevard, subject to easements for public utility purposes reserved there-from as described as in Exhibit "E" Parcel 1 attached hereto, to Elk Grove V Partners, LLC.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby approves the quitclaim to **ELK GROVE V PARTNERS, LLC**, subject to the easements for public utility purposes reserved there-from described in Exhibit "E" Parcel 1 attached to the quitclaim deed and authorizes and directs the Mayor to sign the Quitclaim Deed in substantially the form attached hereto conveying said property and authorizes and directs the City Clerk to record the Quitclaim Deed 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 18th day of November 2009.



PATRICK HUME, MAYOR of the
CITY OF ELK GROVE

ATTEST:



SUSAN J. BLACKSTON, CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

NO FEE DOCUMENT
Government Code §6103 & §27383
RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

City Clerk
CITY OF ELK GROVE
8380 Laguna Palms Way
Elk Grove, CA 95758

The Above Space For Recorder's Use Only

Date: _____

Project Name: Abandoned East Stockton Boulevard
Address; Grant Line Interchange
Project No.: PT-0009

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.

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **CITY OF ELK GROVE**, a municipal corporation hereby REMISES, RELEASES AND FOREVER QUITCLAIMS to ELK GROVE V Partners, LLC all that real property situated in the City of Elk Grove, County of Sacramento, State of California, and described as follows:

See Exhibit "E," legal description, attached hereto and made a part hereof.

Executed this _____th day of _____ 2009.

City of Elk Grove, a Municipal Corporation

By: Laura S. Gill, City Manager of the City of Elk Grove .

Laura S. Gill

Exhibit "E"
Legal Description

Parcel 1

That portion of that certain "frontage road" (now known as East Stockton Boulevard) in the City of Elk Grove, County of Sacramento, State of California as described in that certain document entitled "Relinquishment of State Highway, In the County of Sacramento, Road III- SAC-4-A,B" Recorded in Volume 3710 at Page 472, Recorded in the County of Sacramento Recorder's Office at the request of the Commissioner of Highways on February 26, 1959 and as shown State Highway Map Book 4 Pages 23 through 27 inclusive, Sacramento County Records described as follows:

Commencing at the southerly terminus of the southeasterly line of Parcel 1 having a bearing and distance of North 50° 19' 22" East 1820.38 feet as shown on map entitled "Parcel Map Portion of Parcels A, B, C, & D, (17RS40) Located in Section 7, T.6 E., R.6 E, M. D. B & M. " thence southwesterly along the southwesterly prolongation of said line South 50° 19' 34" a distance of 3.682 meters; thence the following courses and distances:

1. South 37° 55' 23" East a distance of 58.804 meters; thence
2. South 43° 21' 13" East a distance of 105.500 meters; thence
3. South 52° 25' 03" East a distance of 47.548 meters to the intersection with the southwesterly prolongation of the northwesterly line of "Parcel B" as described in that certain grant deed to Elk Grove Partners V, LLC recorded in Book 20070112 at Page 1335, Official Records of Sacramento County having a bearing and distance of South 31° 42' 35" West 150.00 feet and the **True Point Of Beginning**; thence
4. South 61° 14' 20" East a distance of 76.794 meters; thence
5. South 65° 17' 08" East a distance of 111.635 meters to the beginning of a curve concave to the southwest having a radius of 247.191 meters; thence southeasterly 60.669 meters along said curve through a central angle of 14° 03' 45" to the beginning of a curve concave to the north having a radius of 15.000 meters, a radial line of said curve to said beginning bears South 38° 46' 37" West; thence southerly and southeasterly 13.305 meters along said curve through a central angle of 50° 49' 15" to the point on the curved northeasterly right of way line of that certain "frontage road" as shown on said State Highway Map Book 4 Page 25 being concave to the southwest having a radius of 252.982 meters, a radial line of said curve to said point bears North 41° 24' 41" East; thence along said northeasterly right of way line the following:
northwesterly 73.723 meters along said curve through a central angle of 16° 41' 49";
thence
6. North 65° 17' 18" West a distance of 111.431 meters; thence
7. North 61° 14' 20" West a distance of 76.143 meters; thence
8. North 52° 25' 03" West a distance of 29.774 meters to the southwesterly terminus of the northwesterly line of said "Parcel B" having a bearing of South 31° 42' 35" West; thence along the southwesterly prolongation of said line South 31° 43' 07" West a distance of 5.822 meters to the **True Point Of Beginning**.

Reserving there-from an EASEMENT for the installation and maintenance of electroliers, traffic control devices, water, gas, sewer and drainage pipes, and for overhead and/or underground wires and conduits for electrical, television, and telephone services, together with any and all appurtenances pertaining thereto, on, over, under and across said above described parcel.

Also reserving there-from any and all abutter's rights including access rights, appurtenant to the above described parcel, in and to the adjoining freeway.

This Legal Description was prepared by me or under my direction pursuant to the requirements of the Professional Land Surveyor's Act.



Raymond Michael Manger

L.S. No. 5154

Registration Expires: June 30, 2009

NOV. 16, 2009
Date:



CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2009-233

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

I, Susan J. Blackston, 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 special meeting of said Council held on November 18, 2009 by the following vote:

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

NOES: COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*



Susan J. Blackston, City Clerk
City of Elk Grove, California