

**RESOLUTION NO. 2011-207**

**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 PROPERTY INTERESTS  
NECESSARY TO CONSTRUCT THE GRANT LINE ROAD WIDENING PROJECT**

**WHEREAS**, improving and widening Grant Line Road holds a priority in the City of Elk Grove Transportation Improvement Program and acquiring the necessary right of way and other property interests is an important and necessary step in the Grant Line Road Widening Project ("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, to allow vehicles, pedestrians and emergency service providers to safely cross over the existing railroad tracks 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" or "Properties") 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 Properties, and concluded that both the Project and acquisition of the Properties for the Project are necessary; and

**WHEREAS**, the Properties which are the subject of this Resolution of Necessity consist of 3 parcels more particularly described and depicted in Exhibits A, A-1, A-1-A, A-2, A-3, A-3-A, A-4, A-5, A-5-A, A-6, B, B-1, B-2, B-3, B-4 and B-5 which are attached hereto and are incorporated herein. The Sacramento County Assessor has designated the Properties as APNs 134-0190-028; 134-0190-010; and 134-0190-009; and

**WHEREAS**, the Properties are located within the County of Sacramento and adjacent to the City of Elk Grove's municipal boundaries. However, on or about February 7, 2006, and pursuant to Streets and Highways Code section 1810, the County Board of Supervisors adopted Resolution No. 2006-0149 consenting to the City of Elk Grove's acquisition, by purchase or eminent domain, of property within the *unincorporated area of the County* for the Grant Line Road Improvement Project; and

**WHEREAS**, the City of Elk Grove has complied with the requirements of the California Environmental Quality Act, Public Resources Code section 21000, *et seq.*, in regards to acquisition of the Properties based upon the City of Elk Grove certifying the Initial Study / Mitigated Negative Declaration for the Grant Line Road Widening Project Program as adopted by the City Council on December 14, 2005, and through the

adoption of addendum nos. 1, 2 and 3 to the Mitigated Negative Declaration on October 26, 2011; and

**WHEREAS**, the City of Elk Grove has complied with the requirements of Government Code section 7267.2, in regards to the acquisition of the Properties by making an offer to purchase to the known owner(s) of record; and

**WHEREAS**, as a result of the hearing held on October 26, 2011, and in accordance with the provisions of Code of Civil Procedure section 1245.235, the City Council of the City of Elk Grove intends to make certain findings and determinations;

**WHEREAS**, a portion of the Property is required for purposes of providing access to/from existing parcels, and therefore the acquisition of such property is provided for and approved by Code of Civil Procedure section 1240.350; and

**WHEREAS**, to the extent that the Property is already appropriated to a public use, the use of the Property for Project purposes constitutes a compatible use pursuant to Code of Civil Procedure section 1240.510, *et seq.* and/or a more necessary public use pursuant to Code of Civil Procedure section 1240.610, *et seq.*

**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 Properties for the Grant Line Road Widening Project ("Project").
3. The City of Elk Grove is authorized to acquire the Properties pursuant to the provisions of Government Code sections 37350.5, 40401 and 40404, Streets and Highways Code section 1810, and the provisions of Eminent Domain Law comprising Title 7, Part 3 of the Code of Civil Procedure (commencing at section 1230.010).
4. Acquisition of the Properties for Project purposes promotes public safety and the general welfare, is authorized by Government Code sections 37350.5, 40401 and 40404, Streets and Highways Code section 1810, and Code of Civil Procedure sections 1230.010, *et seq.*, including but not limited to section 1240.350, 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, A-1, A-1-A, A-2, A-3, A-3-A, A-4, A-5, A-5-A, A-6, B, B-1, B-2, B-3, B-4 and B-5 are necessary for the purposes of construction, operation and maintenance of the proposed Project; and
  - d. Prior to making the above findings and determinations, the offer required by section 7267.2 of the Government Code was made to the owner(s) of record of the property interests described and depicted in Exhibits A, A-1, A-1-A, A-2, A-3, A-3-A, A-4, A-5, A-5-A, A-6, B, B-1, B-2, B-3, B-4 and B-5.
6. The City Attorney is hereby authorized and directed to prepare, commence and prosecute proceedings in eminent domain in the appropriate court to acquire for the City of Elk Grove the property interests described and depicted in Exhibits A, A-1, A-1-A, A-2, A-3, A-3-A, A-4, A-5, A-5-A, A-6, B, B-1, B-2, B-3, B-4 and B-5. 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's Chief Financial Officer shall disburse all funds required by the City Attorney to make any and all deposits to obtain possession of and title to the Properties including but not limited to deposit of probable amount of compensation pursuant to Code of Civil Procedure section 1255.010, et seq.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 26<sup>th</sup> day of October 2011.

  
\_\_\_\_\_  
STEVEN M. DETRICK, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JONATHAN HOBBS,  
INTERIM CITY ATTORNEY

## EXHIBIT A

LEGAL DESCRIPTION OF:

**PARCEL 08-01, FEE TAKE**

APN 134-0190-028

All that property situate in the County of Sacramento, State of California, being "Parcel A", as shown on that certain Parcel Map, filed May 12, 1978 in Book 39 of Parcel Maps, at Page 30, Sacramento County Records, also being a portion of Section 7 and Section 8, Township 6 North, Range 6 East, Mount Diablo Meridian, more particularly described as follows:

**Beginning at a 1 1/2" Iron Pipe on the centerline of Grant Line Road, as shown on said Parcel Map, from which point the most westerly corner of said "Parcel A", bears South 49°11'07" West 439.55 feet; thence along said centerline, North 39°02'23" East 21.98 feet to the east line of said "Parcel A"; thence leaving last said centerline and along said east line, South 50°00'11" East 194.58 feet; thence leaving said east line, South 31°45'51" West 60.62 feet to the westerly line of a 60' I.O.D., shown on said Parcel Map; thence along said westerly line, North 50°00'11" West 12.79 feet to the beginning of a non-tangent curve concave to the northwest, having a radius of 2,140.00 feet and a chord bearing South 40°43'59" West 562.34 feet; thence southwesterly through a central angle of 15°05'59", 563.98 feet along said curve to the westerly line of said "Parcel A"; thence along said westerly line, North 16°40'35" West, 302.88 feet to said centerline; thence along said centerline, North 49°11'07" East, 439.55 feet to the **Point of Beginning**.**

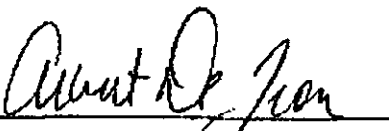
Together with underlying fee interest, if any, contiguous to the above described property in and to the adjoining public way known as Grant Line Road.

Containing 129,596 square feet or 2.975 acres, more or less.

EXHIBIT A  
Page 2 of 2

Bearings and distances used in the above descriptions are based upon the CCS83, Zone 2.  
Distances are in US Survey feet, divide the distances shown above by 0.99999 to obtain  
ground level distances.

This real property description has been prepared at Mark Thomas & Company, Inc., by me,  
or under my direction, in conformance with the Professional Land Surveyors Act.

  
Albert DeLeon, LS 7716  
License expires 3-31-11

March 15, 2011  
Date

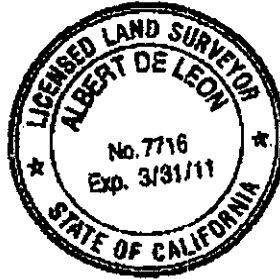
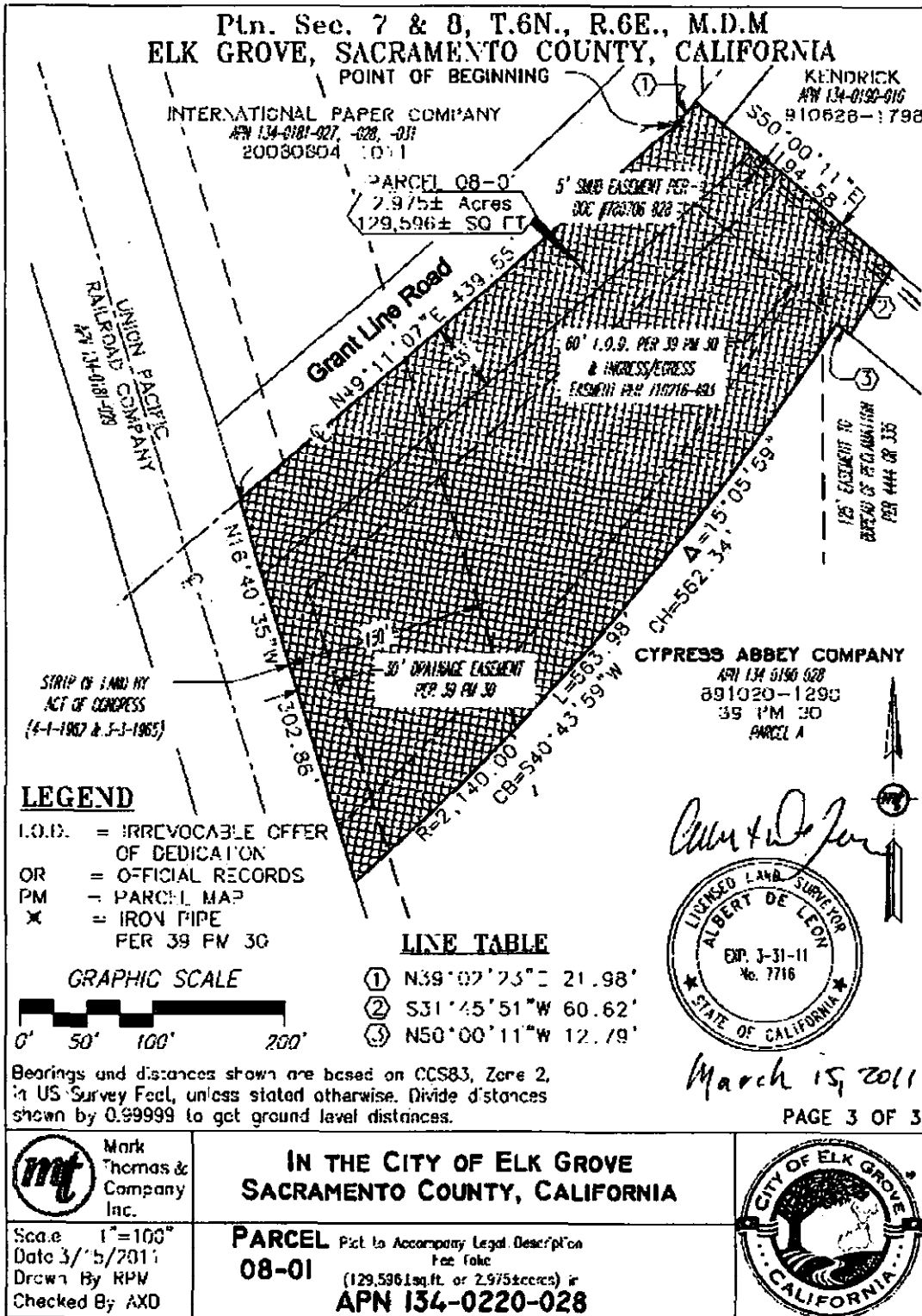


EXHIBIT B



**EXHIBIT A-1**  
**(Temporary Construction Easement)**

A TEMPORARY CONSTRUCTION EASEMENT (“EASEMENT”) for the purpose of public use, construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public right-of-ways, highways, roadways, services, utilities, landscape improvements, and necessary appurtenant structures, on, over, and under all that real property situated in the County of Sacramento, State of California, described herein in Exhibit A-1-A and delineated herein on Exhibit B-1.

The Grantee may move and/or remove any existing structures or improvements but shall replace “in like kind” or restore such structures or improvements prior to the EASEMENT’s termination. Grantee may re-grade the underlying property to conform to the grade of the street frontage.

The EASEMENT shall extend for a period of twelve (12) months commencing on the date of possession ordered by the Court.

## EXHIBIT A-1-A

### LEGAL DESCRIPTION OF:

### PARCEL 08-03, TEMPORARY CONSTRUCTION EASEMENT

APN 134-0190-028

All that property situate in the County of Sacramento, State of California, being "Parcel A", as shown on that certain Parcel Map, filed May 12, 1978 in Book 39 of Parcel Maps, at Page 30, Sacramento County Records, also being a portion of Section 7 and Section 8, Township 6 North, Range 6 East, Mount Diablo Meridian, more particularly described as follows:

**Commencing at a 1 1/2" Iron Pipe on the centerline of Grant Line Road, as shown on said Parcel Map, from which point the most westerly corner of said "Parcel A", bears South 49°11'07" West 439.55 feet; thence along said centerline, North 39°02'23" East 21.98 feet to the east line of said "Parcel A"; thence along said east line, South 50°00'11" East 196.58 feet to the Point of Beginning; thence leaving said east line, South 31°45'51" West 60.62 feet to the westerly line of a 60' I.O.D., shown on said Parcel Map; thence along said westerly line, South 50°00'11" East 110.31 feet; thence North 39°59'49" East 60.00 feet to said east line; thence along said east line, North 50°00'11" West 119.00 feet to the Point of Beginning.**

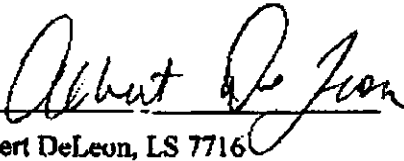
Containing 6,879 square feet or 0.158 acres, more or less.

Bearings and distances used in the above descriptions are based upon the CCS83, Zone 2. Distances are in US Survey feet, divide the distances shown above by 0.99999 to obtain ground level distances.



EXHIBIT A-1-A  
Page 2 of 2

This real property description has been prepared at Mark Thomas & Company, Inc., by me,  
or under my direction, in conformance with the Professional Land Surveyors Act.



Albert DeLeon, LS 7716

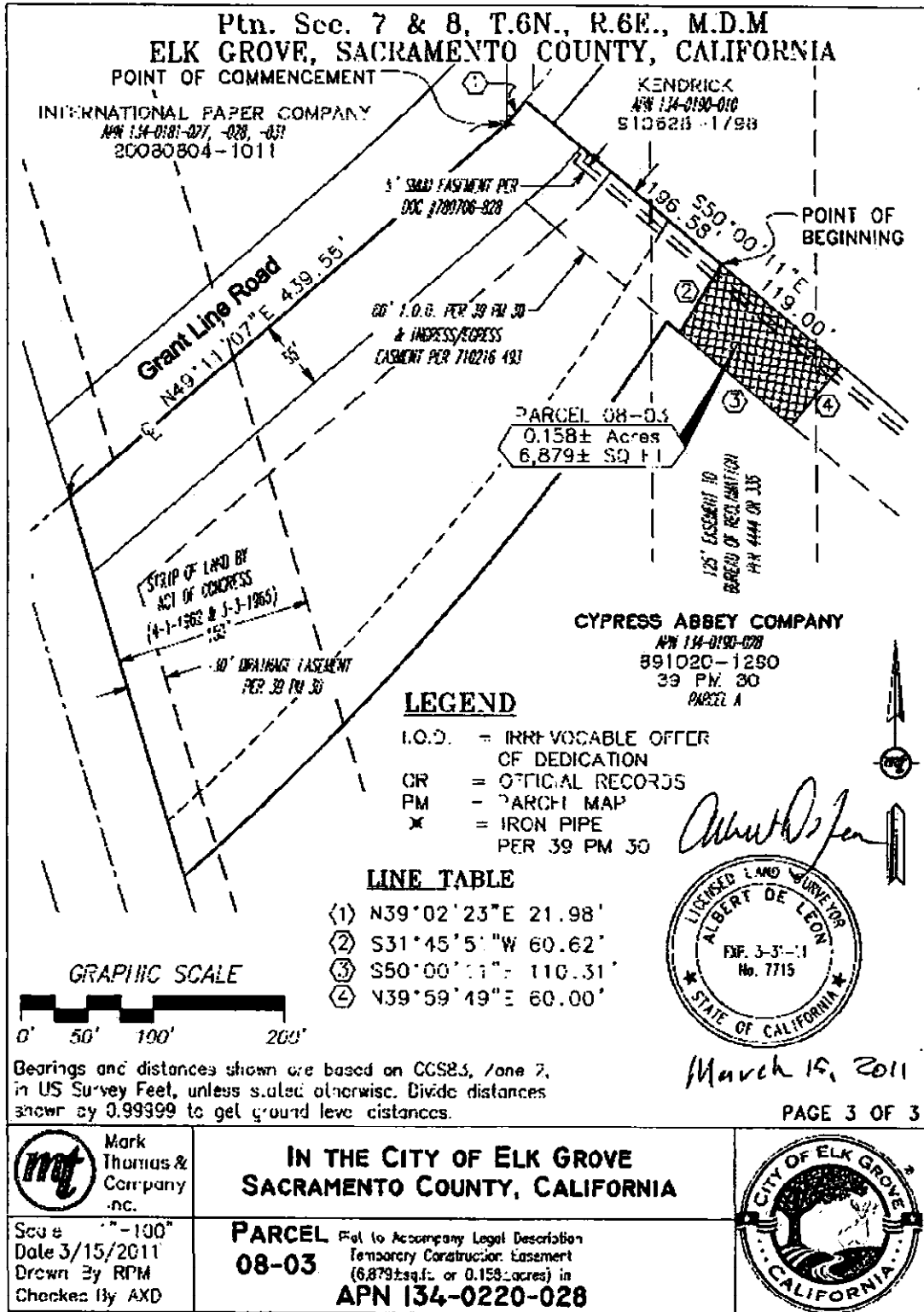
March 15, 2011

Date

License expires 3-31-11



EXHIBIT B-1



## EXHIBIT A-2

LEGAL DESCRIPTION OF:  
**PARCEL 10-01, FEE TAKE**  
APN 134-0190-010

All that property situate in the County of Sacramento, State of California, being "A Portion of Lot 10, Lower Daylor Estate" in Rancho De Los Omochumnes, as shown on that certain Record of Survey, filed February 9, 1955 in Book 11 of Surveys, at Page 11, Sacramento County Records, also being a portion of the lands, described in the Trust Transfer Deed to Leonard and Betsy Kendrick, recorded June 28, 1991, in Book 910628 of Official Records of Sacramento County, at Page 1798, more particularly described as follows:

**Beginning** at the West corner of said Deed on the centerline of Grant Line Road, from which point a 1 1/2" Iron Pipe on said centerline, as shown on that certain Parcel Map, filed May 12, 1978 in Book 39 of Parcel Maps, at Page 30, Sacramento County Records, bears South 39°02'23" West, 21.98 feet; thence along said centerline, North 39°02'23" East, 1,316.96 feet to the North corner of said Deed; thence leaving said centerline along the northeasterly line of said Deed, South 50°02'30" East, 136.65 feet to a line parallel with and lying 136.65 feet southeasterly of said centerline; thence leaving said northeasterly line and along said parallel line, South 39°02'23" West, 66.32 feet; thence South 46°11'09" West 246.27 feet to a line parallel with and lying 106.00 feet southeasterly of said centerline; thence along said parallel line, South 39°02'23" West 306.76 feet; thence South 28°38'16" West 209.21 feet to the beginning of a non-tangent curve concave to the southeast, having a radius of 1,956.00 feet and a chord bearing South 34°58'38" West, 219.26 feet; thence southwesterly through a central angle of 06°25'33", 219.37 feet along said curve; thence South 31°45'51" West 278.35 feet to the southwesterly line of said Deed; thence along said southwesterly line, North 50°00'11" West, 194.58 feet to the **Point of Beginning**.

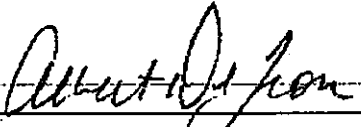
EXHIBIT A-2  
Page 2 of 2

Together with underlying fee interest, if any, contiguous to the above described property in and to the adjoining public way known as Grant Line Road.

Containing 178,299 square feet or 4.093 acres, more or less.

Bearings and distances used in the above descriptions are based upon the CCS83, Zone 2. Distances are in US Survey feet, divide the distances shown above by 0.99999 to obtain ground level distances.

This real property description has been prepared at Mark Thomas & Company, Inc., by me, or under my direction, in conformance with the Professional Land Surveyors Act.

  
\_\_\_\_\_  
Albert DeLeon, J.S. 7716  
License expires 3-31-11

March 17, 2011  
\_\_\_\_\_  
Date

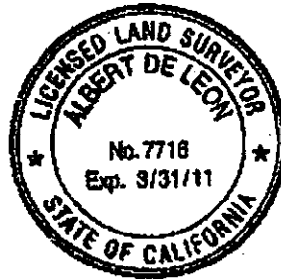


EXHIBIT B-2

Portion of RANCHO de LOS OMOCHUMNES  
ELK GROVE, SACRAMENTO COUNTY, CALIFORNIA

**CURVE TABLE**

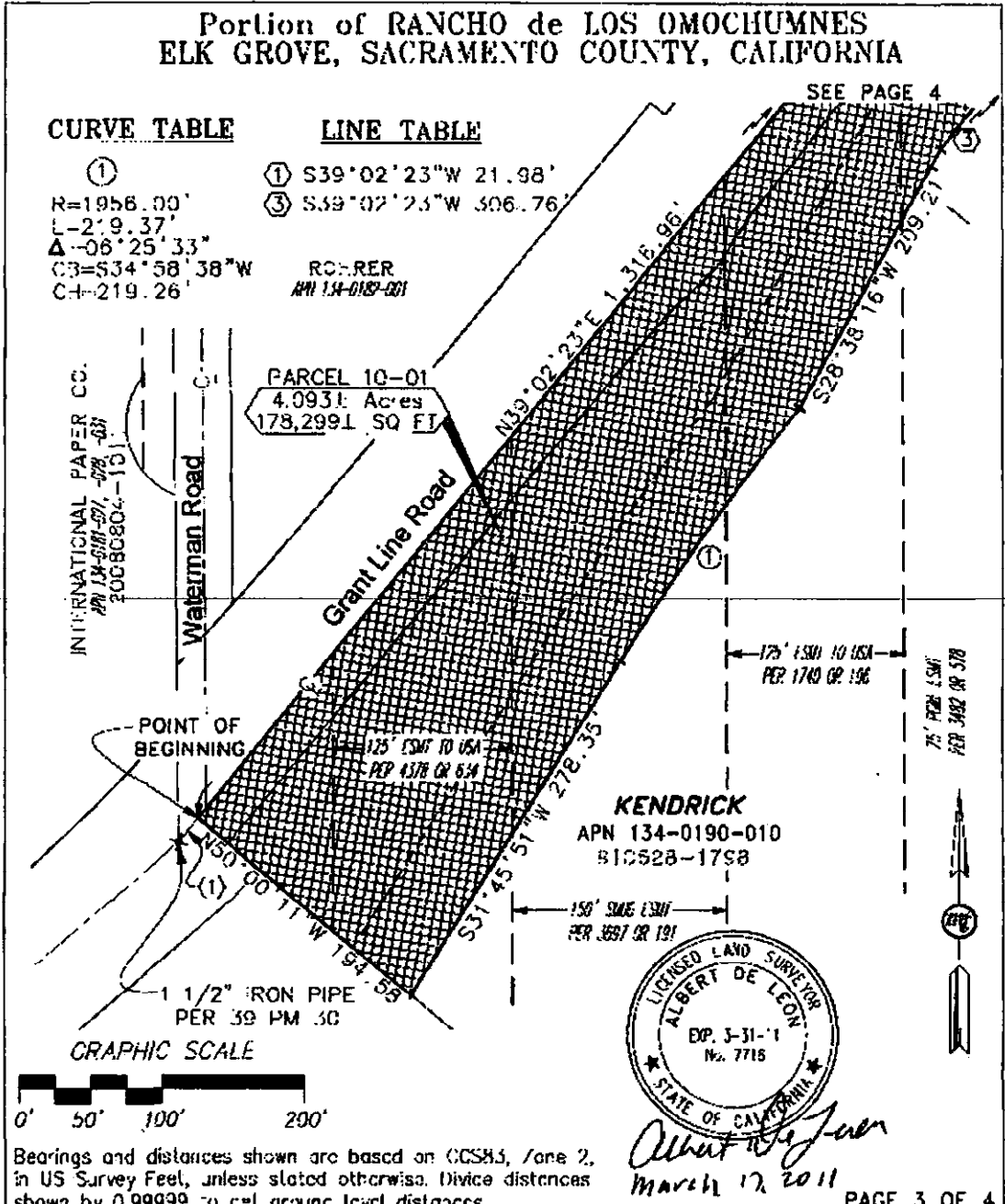
①  
R=1956.00'  
L=219.37'  
Δ=06°25'33"  
C3=S34°58'38"W  
C4=219.26'

**LINE TABLE**

① S39°02'23"W 21.98'  
③ S39°02'23"W 306.76'

RO-RRER  
APN 134-0189-001

SEE PAGE 4



Mark Thomas & Company Inc.

IN THE CITY OF ELK GROVE  
SACRAMENTO COUNTY, CALIFORNIA

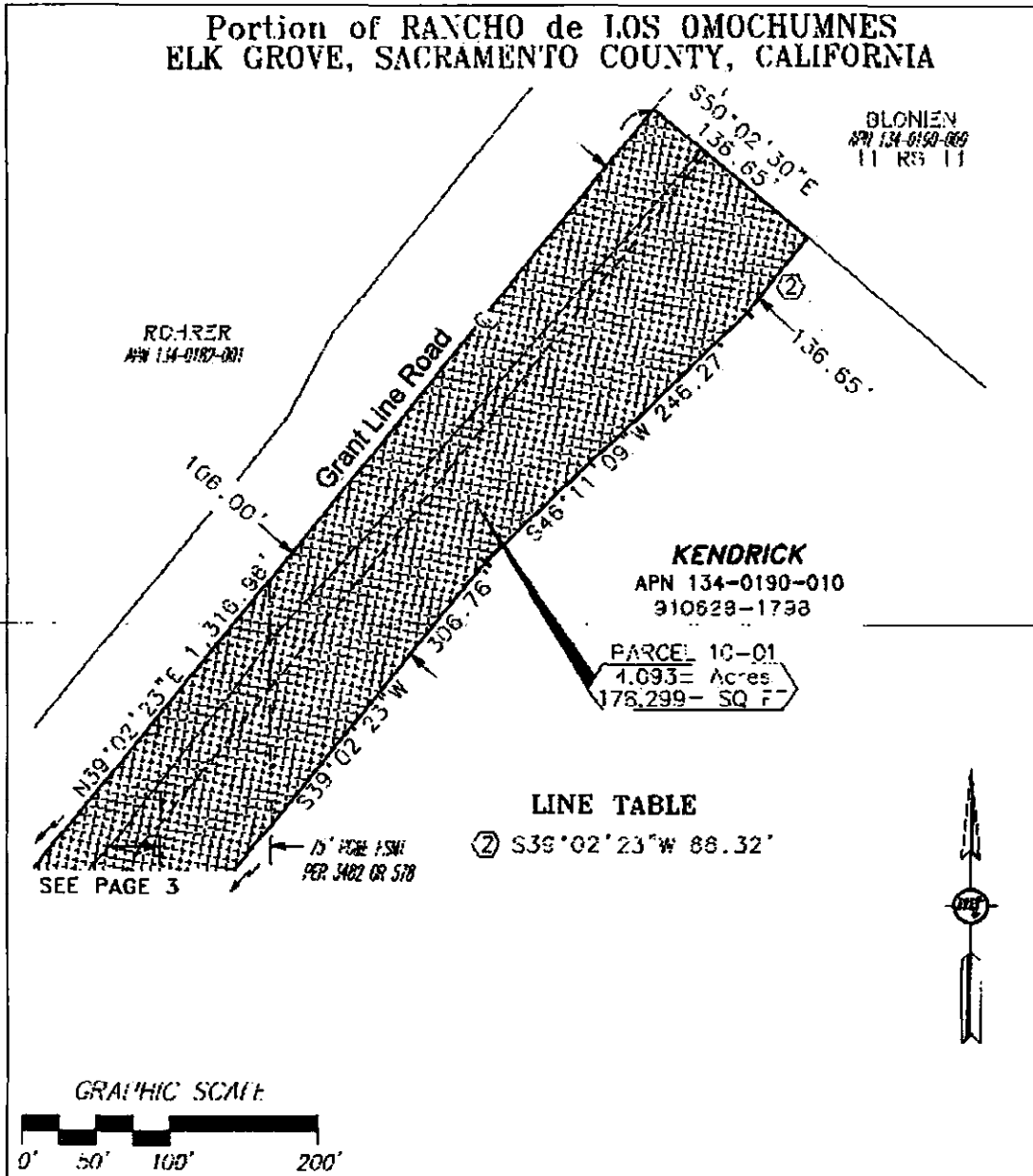


Scale 1"=100'  
Date 5/17/2011  
Drawn By RPM  
Checked By AXD

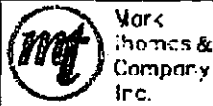
**PARCEL 10-01** Plat to Accompany Legal Description  
for take  
(178,299 Lsq.ft. or 4.0931 acres) in  
**APN 134-0190-010**

EXHIBIT B-2  
Page 2 of 2

Portion of RANCHO de LOS OMOCHUMNES  
ELK GROVE, SACRAMENTO COUNTY, CALIFORNIA



Bearings and distances shown are based on CCS83, Zone 7, in US Survey Feet, unless stated otherwise. Divide distances shown by 0.99999 to get ground level distances.



IN THE CITY OF ELK GROVE  
SACRAMENTO COUNTY, CALIFORNIA



Scale 1"=100"  
Date 3/17/2011  
Drawn By RPM  
Checked By AXD

PARCEL 10-01  
Plat to Accompany Legal Description:  
See Note  
(178,299 Sq. Ft. or 4.093 Acres) in  
APN 134-0190-010

**EXHIBIT A-3**  
**(Temporary Construction Easement)**

A TEMPORARY CONSTRUCTION EASEMENT (“EASEMENT”) for the purpose of public use, construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public right-of-ways, highways, roadways, services, utilities, landscape improvements, and necessary appurtenant structures, on, over, and under all that real property situated in the County of Sacramento, State of California, described herein in Exhibit A-3-A and delineated herein on Exhibit B-3.

The Grantee may move and/or remove any existing structures or improvements but shall replace “in like kind” or restore such structures or improvements prior to the EASEMENT’s termination. Grantee may re-grade the underlying property to conform to the grade of the street frontage.

The EASEMENT shall extend for a period of twelve (12) months commencing on the date of possession ordered by the Court.

## EXHIBIT A-3-A

LEGAL DESCRIPTION OF:

**PARCEL 10-03, TEMPORARY CONSTRUCTION EASEMENT**

APN 134-0190-010

All that property situate in the County of Sacramento, State of California, being "A Portion of Lot 10, Lower Daylor Estate" in Rancho De Los Omochumnes, as shown on that certain Record of Survey, filed February 9, 1955 in Book 11 of Surveys, at Page 11, Sacramento County Records, also being a portion of the lands, described in the Trust Transfer Deed to Leonard and Betsy Kendrick, recorded June 28, 1991, in Book 910628 of Official Records of Sacramento County, at Page 1798, more particularly described as follows:

**Commencing** at the West corner of said Deed on the centerline of Grant Line Road, from which point a 1 1/2" Iron Pipe on said centerline, as shown on that certain Parcel Map, filed May 12, 1978 in Book 39 of Parcel Maps, at Page 30, Sacramento County Records, bears South 39°02'23" West, 21.98 feet; thence along said centerline, North 39°02'23" East, 1,316.96 feet to the North corner of said Deed; thence leaving said centerline along the northeasterly line of said Deed, South 50°02'30" East, 136.65 feet to a line parallel with and lying 136.65 feet southeasterly of said centerline; thence leaving said northeasterly line and along said parallel line, South 39°02'23" West, 66.32 feet; thence South 46°11'09" West 246.27 feet to a line parallel with and lying 106.00 feet southeasterly of said centerline; thence along said parallel line, South 39°02'23" West 288.48 feet to the **Point of Beginning**; Thence continuing, South 39°02'23" West 18.28 feet; thence South 28°38'16" West 29.57 feet; thence South 50°57'37" East 68.53 feet; thence North 39°02'23" East 30.98 feet; thence North 38°27'17" West 75.66 feet to the **Point of Beginning**;


Containing 2,816 square feet or 0.065 acres, more or less.



EXHIBIT A-3-A  
Page 2 of 2

Bearings and distances used in the above descriptions are based upon the CCS83, Zone 2.  
Distances are in US Survey feet, divide the distances shown above by 0.99999 to obtain  
ground level distances.

This real property description has been prepared at Mark Thomas & Company, Inc., by me,  
or under my direction, in conformance with the Professional Land Surveyors Act.

  
\_\_\_\_\_  
Albert DeLeon, LS 7716  
License expires 3-31-11

March 17, 2011  
Date

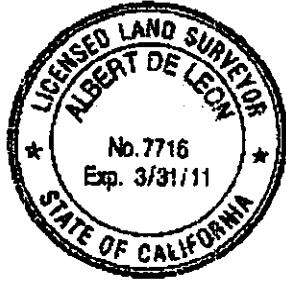
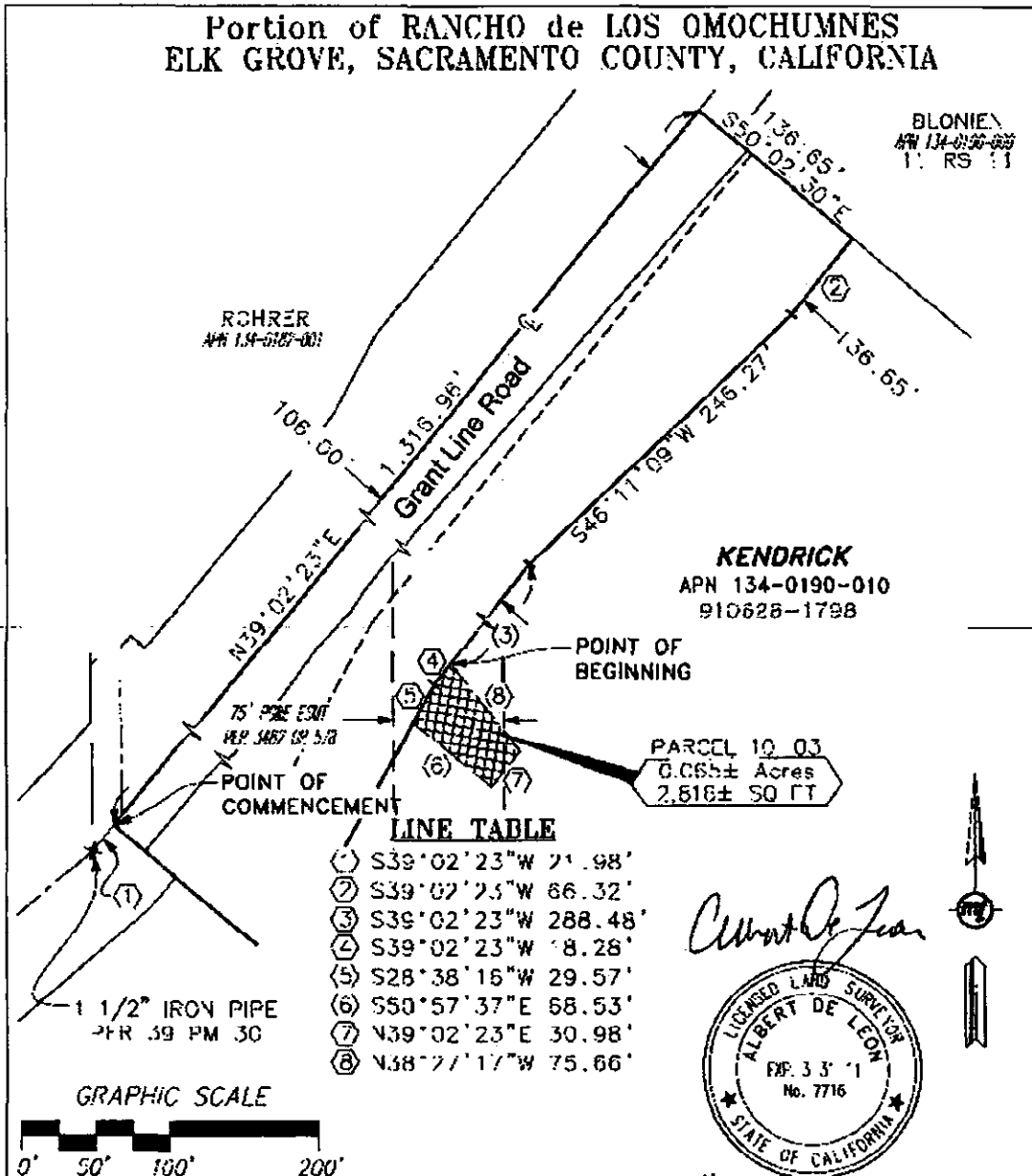


EXHIBIT B-3

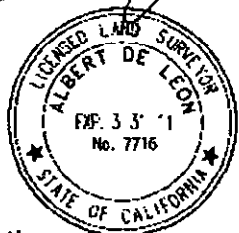
Portion of RANCHO de LOS OMOCHUMNES  
ELK GROVE, SACRAMENTO COUNTY, CALIFORNIA



**LINE TABLE**

①	S39°02'23"W	71.98'
②	S39°07'25"W	66.32'
③	S39°02'23"W	288.48'
④	S39°02'23"W	18.28'
⑤	S28°38'16"W	29.57'
⑥	S50°57'37"E	68.53'
⑦	N39°02'23"E	30.98'
⑧	N38°11'17"W	75.66'

*Albert De Leon*



March 17, 2011



Bearings and distances shown are based on CCS83, Zone 2, in US Survey Feet, unless stated otherwise. Divide distances shown by 0.99999 to get ground level distances.

	<p><b>IN THE CITY OF ELK GROVE SACRAMENTO COUNTY, CALIFORNIA</b></p>	
<p>Scale 1"=100' Date 3/7/2011 Drawn By RPM Checked By AXD</p>	<p><b>PARCEL 10-03</b> Plot to Accompany Legal Description Temporary Construction Easement (2,816-sq.ft. or 0.0651acres) in <b>APN 134-0190-010</b></p>	

## EXHIBIT A-4

### LEGAL DESCRIPTION OF:

PARCEL 11-01, FEE TAKE

APN 134-0190-009

All that property situate in the County of Sacramento, State of California, being "A Portion of Lot 10, Lower Daylor Estate" in Rancho De Los Ochochumnes, as shown on that certain Record of Survey, filed February 9, 1955 in Book 11 of Surveys, at Page 11, Sacramento County Records, also being a portion of the lands, described in the Grant Deed to Rodney J. and Noreen F. Blonien, recorded November 4, 2002, in Book 20021104 of Official Records of Sacramento County, at Page 2114, more particularly described as follows:

**Beginning at the most Northerly corner of said Lot 10 on the centerline of Grant Line Road, from which point a 1 1/2" Iron Pipe on said centerline, as shown on that certain Parcel Map, filed May 12, 1978 in Book 39 of Parcel Maps, at Page 30, Sacramento County Records, bears along said centerline, South 39°02'23" West, 2,655.90 feet; thence along the northeasterly line of said Lot 10, South 50°04'50" East, 42.71 feet; thence leaving said northeasterly line, South 38°04'10" West, 608.19 feet; thence South 39°02'23" West, 642.19 feet; thence South 50°57'37" East 48.57 feet; thence South 12°50'05" East 44.57 feet; thence South 39°02'23" West 40.69 feet to the southwesterly line of said Blonien property; thence along last said southwesterly line, North 50°02'30" West 136.65 feet to said centerline of Grant Line Road; thence along said centerline, North 39°02'23" East, 1,316.96 feet to the Point of Beginning.**

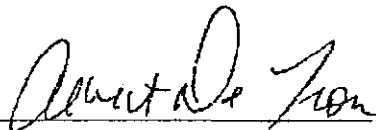
Together with underlying fee interest, if any, contiguous to the above described property in and to the adjoining public way known as Grant Line Road.

Containing 71,836 square feet or 1.649 acres, more or less.

EXHIBIT A-4  
Page 2 of 2

Bearings and distances used in the above descriptions are based upon the CCS83, Zone 2.  
Distances are in US Survey feet, divide the distances shown above by 0.99999 to obtain  
ground level distances.

This real property description has been prepared at Mark Thomas & Company, Inc., by me,  
or under my direction, in conformance with the Professional Land Surveyors Act.

  
Albert DeLeon, LS 7716  
License expires 3-31-13

July 5, 2011  
Date

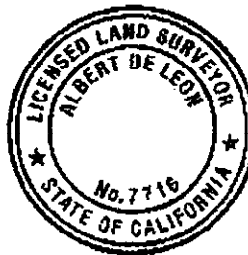
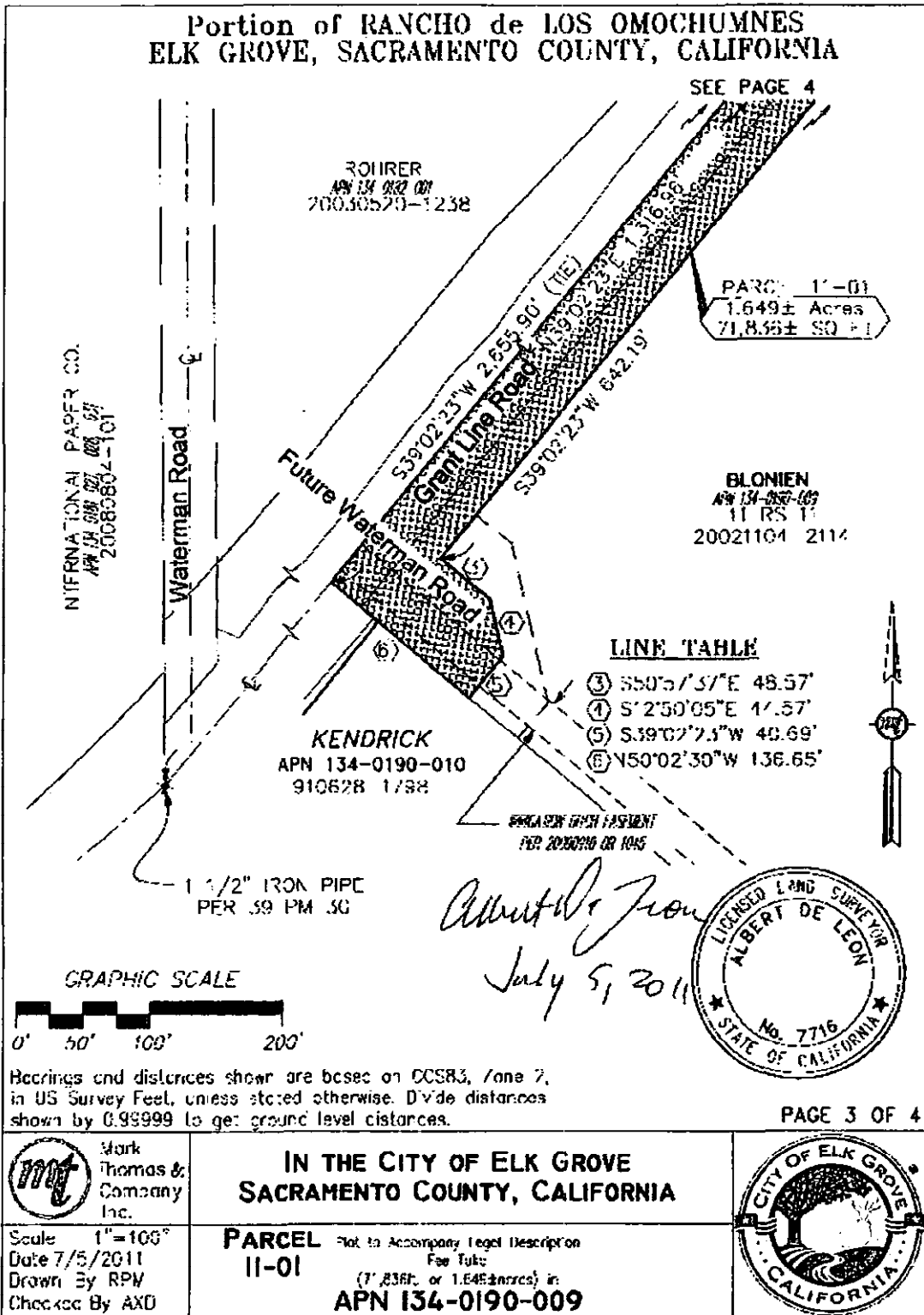


EXHIBIT B-4

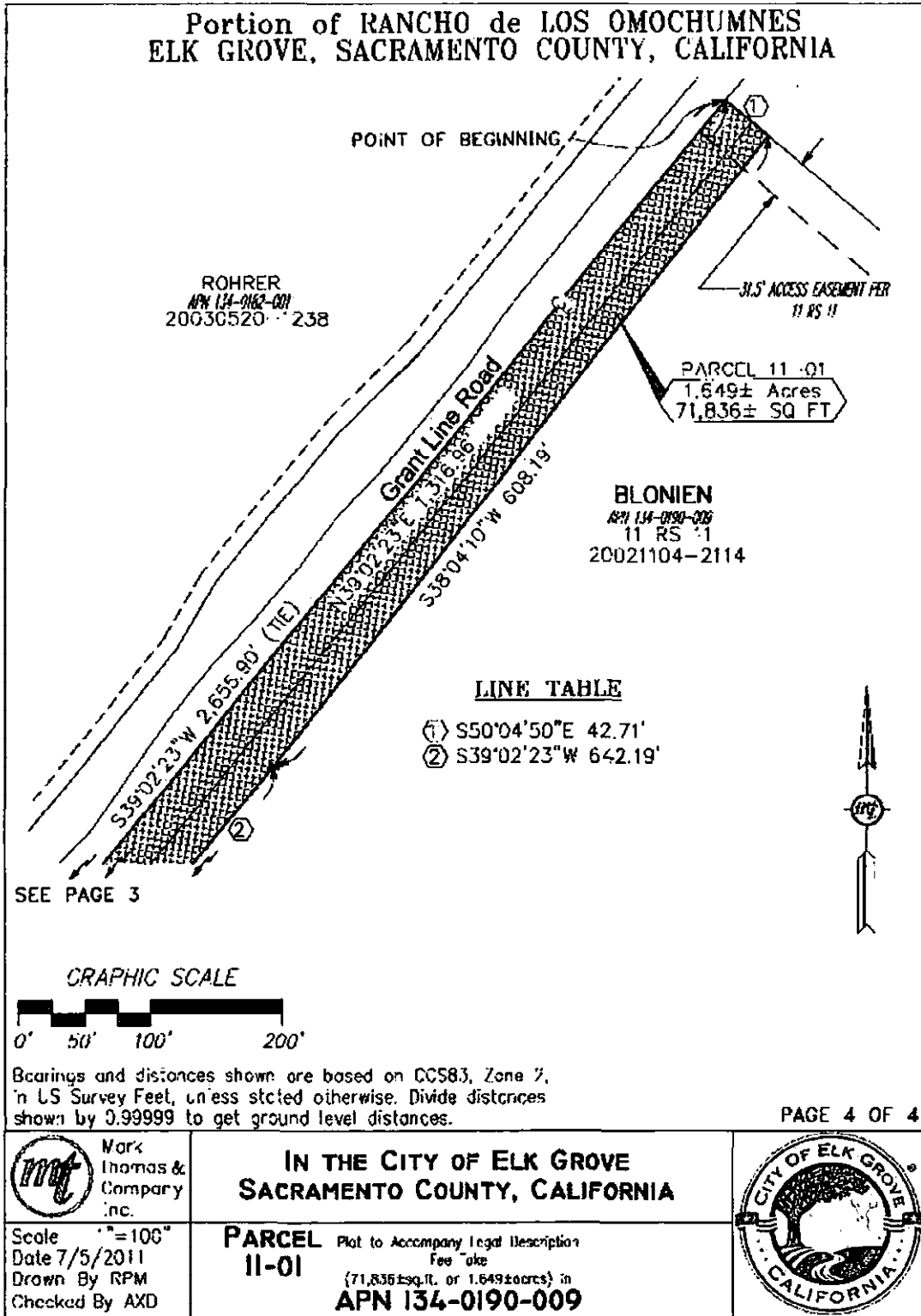
Portion of RANCHO de LOS OMOCHUMNES  
ELK GROVE, SACRAMENTO COUNTY, CALIFORNIA



Bearings and distances shown are based on CCS83, Zone 7, in US Survey Feet, unless stated otherwise. Divide distances shown by 0.99999 to get ground level distances.

EXHIBIT B-4  
Page 2 of 2

Portion of RANCHO de LOS OMOCHUMNES  
ELK GROVE, SACRAMENTO COUNTY, CALIFORNIA



**EXHIBIT A-5**  
**(Temporary Construction Easement)**

A TEMPORARY CONSTRUCTION EASEMENT (“EASEMENT”) for the purpose of public use, construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public right-of-ways, highways, roadways, services, utilities, landscape improvements, and necessary appurtenant structures, on, over, and under all that real property situated in the County of Sacramento, State of California, described herein in Exhibit A-5-A and delineated herein on Exhibit B-5.

The Grantee may move and/or remove any existing structures or improvements but shall replace “in like kind” or restore such structures or improvements prior to the EASEMENT’s termination. Grantee may re-grade the underlying property to conform to the grade of the street frontage.

The EASEMENT shall extend for a period of twelve (12) months commencing on the date of possession ordered by the Court.

## EXHIBIT A-5-A

### LEGAL DESCRIPTION OF:

### PARCEL 11-02, TEMPORARY CONSTRUCTION EASEMENT

APN 134-0190-009

All that property situate in the County of Sacramento, State of California, being "A Portion of Lot 10, Lower Daylor Estate" in Rancho De Los Omochumnes, as shown on that certain Record of Survey, filed February 9, 1955 in Book 11 of Surveys, at Page 11, Sacramento County Records, also being a portion of the lands, described in the Grant Deed to Rodney J. and Noreen E. Blonien, recorded November 4, 2002, in Book 20021104 of Official Records of Sacramento County, at Page 2114, more particularly described as follows:

**Commencing** at the most Northerly corner of said Lot 10 on the centerline of Grant Line Road, from which point a 1 1/2" Iron Pipe on said centerline, as shown on that certain Parcel Map, filed May 12, 1978 in Book 39 of Parcel Maps, at Page 30, Sacramento County Records, bears along said centerline, South 39°02'23" West, 2,655.90 feet; thence along the northeasterly line of said Lot 10, South 50°04'50" East, 42.71 feet; thence leaving said northeasterly line, South 38°04'10" West, 608.19 feet; thence South 39°02'23" West, 599.35 feet to the **Point of Beginning**; thence continuing, South 39°02'23" West, 42.84 feet; thence South 50°57'37" East, 48.57 feet; thence South 12°50'05" East, 44.57 feet; thence South 39°02'23" West, 40.69 feet to the southwesterly line of said Blonien property; thence along last said southwesterly line, South 50°02'30" East, 48.17 feet; thence leaving said southwesterly line, North 39°57'30" East, 35.01 feet; thence North 12°50'05" West, 124.42 feet; thence North 50°57'37" West, 34.48 feet to the **Point of Beginning**.

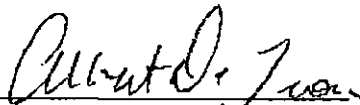
Containing 5,726 square feet or 0.131 acres, more or less.



EXHIBIT A-5-A  
Page 2 of 2

Bearings and distances used in the above descriptions are based upon the CCS83, Zone 2.  
Distances are in US Survey feet, divide the distances shown above by 0.99999 to obtain  
ground level distances.

This real property description has been prepared at Mark Thomas & Company, Inc., by me,  
or under my direction, in conformance with the Professional Land Surveyors Act.

  
Albert DeLeon, L.S. 7716  
License expires 3-31-13

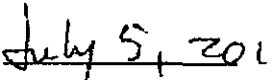
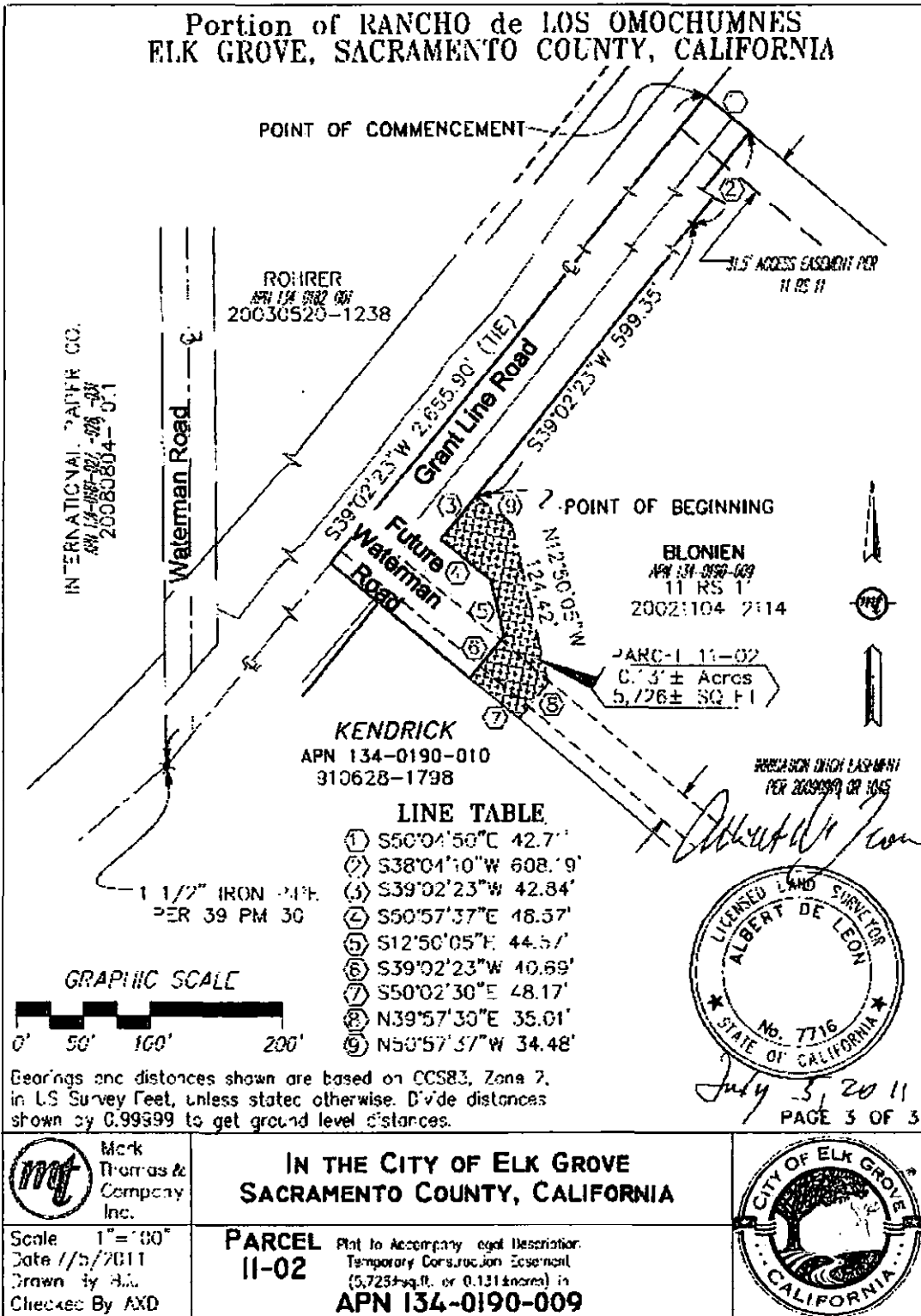
  
Date

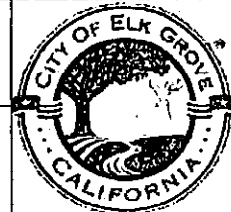


EXHIBIT B-5

Portion of RANCHO de LOS OMOCHUMNES  
ELK GROVE, SACRAMENTO COUNTY, CALIFORNIA



**IN THE CITY OF ELK GROVE  
SACRAMENTO COUNTY, CALIFORNIA**



Scale 1" = 100'  
Date 7/5/2011  
Drawn by H.L.  
Checked By AXD

**PARCEL 11-02** Plot to Accompany legal Description:  
Temporary Construction Easement  
(5,723±sq.ft. or 0.131±acres) in  
**APN 134-0190-009**

## EXHIBIT A-6

- Paving at entrance to nursery            2,000+/- sf x \$1.50/sf
- Gravel parking area                        2,100+/- sf x \$0.75/sf
- Two entrance poles with hanging baskets, incl. electric
- 20' Fruiting Mulberry Tree
- Black Pine
- 11' x 16' pond & 15' stream – Yuba Blue Rock (Pond #1 – Front)
- Miscellaneous landscaping around Pond #1, including imported soil
- 9-Valve irrigation box; Timer Box; Spigot/3" main line
- 4 Trees planted near west parcel boundary

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2011-207**

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 October 26, 2011 by the following vote:*

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

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

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

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

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