

RESOLUTION NO. 2003-85

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A QUITCLAIM DEED FOR A SECONDARY FLOWAGE EASEMENT TO
SACRAMENTO LAND AND FARMING, INC. FOR THE ELK GROVE AUTO MALL**

WHEREAS, the City Council of the City of Elk Grove desires to quitclaim a secondary flowage easement to Sacramento Land and Farming, Inc. for the Elk Grove Auto Mall; and

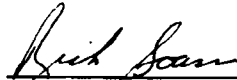
WHEREAS, the secondary flowage easement as described within the proposed quitclaim deed is no longer necessary as a new secondary flowage easement has been accepted by the City Engineer and recorded on March 26, 2003 in Book 20030326 at page 1569, Sacramento County Records; and

WHEREAS, a public meeting was held on April 30, 2003 to hear and consider all public comment regarding the relinquishment of the secondary flowage easement;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby resolves to quitclaim the secondary flowage easement as follows:

1. The secondary flowage easement described in Exhibits A and A-1 to the quitclaim deed is no longer necessary to provide for drainage runoff.
2. The City Engineer is directed to execute the quitclaim deed substantially in the form attached and incorporated hereto by reference.
3. At the time the quitclaim deed is recorded, the described secondary flowage easement will no longer constitute an easement.

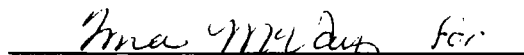
PASSED AND ADOPTED by the City Council of the City of Elk Grove this 30th day of April 2003.



RICK SOARES, MAYOR of the
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:



PEGGY E. JACKSON, CITY CLERK

ANTHONY B. MANZANETTI,
CITY ATTORNEY

AYES: Soares, Scherman, Briggs, Cooper
NOES: None
ABSTAIN: None
ABSENT: Leary

ATTACHMENT 2
QUITCLAIM DEED FOR A SECONDARY FLOWAGE EASEMENT

RECORDING REQUESTED BY:

Sacramento Land and Farming
1601 Response Road
Sacramento, CA 95815

WHEN RECORDED MAIL TO:

City Clerk's Office
City of Elk Grove/ City Hall
8400 Laguna Palms Way
Elk Grove, CA 95758

NO FEE DOCUMENT

THIS SPACE FOR RECORDERS USE ONLY

DOCUMENTARY TRANSFER TAX \$ 0
___ COMPUTED AT FULL VALUE OF PROPERTY CONVEYED OR
___ COMPUTED ON FULL VALUE LESS LIENS AND ENCUMBERANCES
___ REMAINING AT TIME OF SALE
THE UNDERSIGNED HEREBY DECLARES

Signature of Declarant or Agent determining tax

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.

THE CITY OF ELK GROVE, a California municipal corporation,

Hereby REMISES, RELEASES AND FOREVER QUITCLAIMS to

SACRAMENTO LAND AND FARMING Inc.

All of that particular 30 feet wide **Secondary Flowage Easement** as shown on the Final Map of Elk Grove Auto Mall Expansion Phase 2 recorded on September 20, 2002 in Book 303 of Maps at page 7, located in the City of ELK GROVE, County of Sacramento, State of California and described as follows:

See Exhibit "A", legal description, and Exhibit "A-1", plat to accompany legal description, attached hereto and made a part hereof.

APPROVED:
CITY OF ELK GROVE

Robert L. Lee, City Engineer
R.C.E. No. 23076 – Expires Dec. 31, 2005

Dated

EXHIBIT A

**QUIT CLAIM OF
30' SECONDARY FLOWAGE EASEMENT
PORTION OF LOT 1 OF 303 BM 7**

All that certain real property situate in a portion of the Northwest One-Quarter (1/4) of Section 1, Township 6 North, Range 5 East, Mount Diablo Meridian, County of Sacramento, State of California, being a portion of Lot 1 of that certain Final Map "ELK GROVE AUTO MALL EXPANSION PHASE 2" filed in Book 303 at Page 7 of Maps, Sacramento County Records, and being more particularly described as follows:

The East thirty (30) foot Secondary Flowage Easement of Lot 1 as shown on that certain Final Map "ELK GROVE AUTO MALL EXPANSION PHASE 2" filed in Book 303 at Page 7 of Maps, Sacramento County Records.

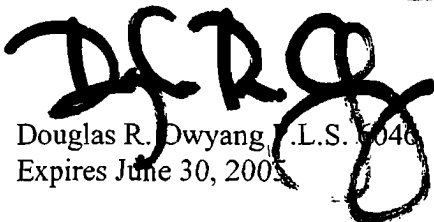
Reserving the 23 foot Drainage Easement, 20 foot Water line Easement and the 20 foot Sanitary Sewer Easement of said Lot 1.

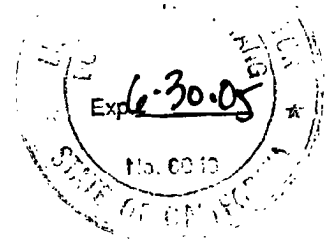
The basis of bearings for this description is identical to that certain Final Map "ELK GROVE AUTO MALL EXPANSION PHASE 2" filed in Book 303 at Page 7 of Maps, Sacramento County Records.

See Exhibit "B", plat to accompany description, attached hereto and made a part hereof.

This legal description was prepared by me or under my direct supervision pursuant to Section 8729 (2) of the Professional Land Surveyors Act.

END OF DESCRIPTION.


Douglas R. Dwyang, L.S. 1046
Expires June 30, 2005



PREPARED BY WOOD • RODGERS, INC.
SACRAMENTO, CALIFORNIA

EXHIBIT A-1

PLAT TO ACCOMPANY
DESCRIPTION

ELK GROVE AUTOMALL EXPANSION PHASE 2 30' SECONDARY FLOWAGE EASEMENT RELOCATION PORTION OF LOT 1 OF 303 B.M. 7

CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

Exp. 6-30-05
No. 8019
[Handwritten Signature]

LOT 3
303 B.M. 7

ELK GROVE AUTO MALL
EXPANSION PHASE 1
303 B.M. 6

LOT 2

LOT 4

LAGUNA GROVE DRIVE



LOT 2
303 B.M. 7

0 50 100 200

SCALE: 1" = 100'

25' L.E., P.E. & P.U.E.

30' S.F.E. →
9,438 S.F. ±

25'

LOT 1
303 B.M. 7

23' D.E. →
20' W.L.E. →
20' S.S.E. →

S00°00'00"W
299.75'

EXISTING
30' S.F.E.
(PER 303 B.M. 7)
TO BE QUIT CLAIMED
8,992 SQUARE FEET ±

5'

S90°00'00"E
30.00'

LOT 5
ELK GROVE AUTO MALL
EXPANSION PHASE 1
303 B.M. 6

LOT LINE
PER 303 B.M. 7

S00°00'00"W
299.72'

23' DRAINAGE EASEMENT

LAGUNA RIDGE ROAD

S89°56'36"W
30.00'



WOOD RODGERS
ENGINEERING • MAPPING • PLANNING • SURVEYING

3301 C St, Bldg. 100-B Tel 916.341.7760
Sacramento, CA 95816 Fax 916.341.7767

SEE DESCRIPTION FOR
COURSE INFORMATION