

RESOLUTION NO. 2003-135

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE EXPRESSING ITS INTENTION TO LEVY STORM DRAINAGE FEES

WHEREAS, by Ordinance No. 22-2003, adopted on June 18, 2003 (the "Ordinance"), the City Council (the "Council") of the City of Elk Grove (the "City") reaffirmed the levy of storm drainage fees imposed by the County of Sacramento on lands within the boundaries of the City that were included within Zone 12 of the Sacramento County Water Agency on June 30, 2003; and

WHEREAS, the owner(s) of property identified as East Meadows, Machado Dairy, Elk Grove Meadows Unit 2, and Elk Grove Commons, descriptions of which are attached hereto as Exhibits A, B and C and have requested the Council to make the property subject to the storm drainage fees levied pursuant to the Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elk Grove as follows:

Section 1. Recitals. The foregoing recitals are true and correct and this Council so finds and determines.

Section 2. Declaration of Intention. This Council hereby declares its intention to levy the storm drainage fees described in the Ordinance on the property described in Exhibit A.

Section 3. Notice of Public Hearing. On Wednesday, October 1, 2003, at 6:30 p.m., or as soon thereafter as the matter may be heard, at City Hall, 8400 Laguna Palms Way, Elk Grove, California, the City Council shall hold a public hearing on the levy of the storm drainage fees.

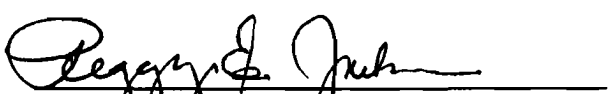
Section 4. Publication and Mailing of Notice and Ballot. The City Clerk is directed (i) to publish a notice of the hearing in The Elk Grove Citizen twice in a ten-day period with at least five days intervening between publications (per Government Code §6062a) and (ii) to mail a notice of the public hearing together with a ballot by first-class mail, postage prepaid, to the owner(s) of the property upon which the fees are proposed to be levied. The notice of the hearing shall be in the form attached hereto as Exhibit D. The ballot shall be in the form attached hereto as Exhibit E. The mailing shall be completed by August 15, 2003, which is at least 45 days before the date of the hearing.

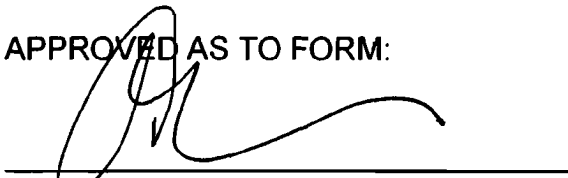
Section 5. Effective Date. This resolution shall take effect from and after the date of its passage.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 6th day of August 2003.


SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

ANTHONY B. MANZANETTI,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2003-135

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 6th day of August, 2003 by the following roll call 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

Exhibit A

**Description of Property and Vicinity Map For
East Meadows and Machado Dairy**

See Attached

DESCRIPTION

The form of policy of title insurance contemplated by this report is:

CLTA STANDARD

The estate or interest in the land hereinafter described or referred to covered by this Report is: A FEE

Title to said estate or interest at the date hereof is vested in:

FRANK G. STATHOS, a married man as his sole and separate property

The land referred to in this Report is situated in the State of California, County of Sacramento, and is described as follows:

The South one-half of Lots 2905 and 2906 of Plat of H. J. Goethe Company's Colony No. 29, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on October 25, 1904, in Book 5 of Maps, Map No. 51.

APN: 132-0050-038

EAST MEADOW

DESCRIPTION

Real property in the City of Elk Grove, County of Sacramento, State of California, described as follows:

Lots 2907 and 2908, as shown on the Official "Plat of H.J. Goethe Company's Colony No. 29", recorded in the Office of the County Recorder of Sacramento County, on October 25, 1904, in Book 5 of Maps, Map No. 51.

APN: 132-0050-004-0000

DESCRIPTION

MACHADO
DAIRY

PARCEL 1:

Lot 904, as shown on "H.J. Goethe Co's. Colony 9", filed 5-4-03 in Book 5 of Maps, Map No. 18, Sacramento County Records.

APN: 132-0050-047

PARCEL 2:

A. Tract 905, as shown on the plat of "H.J. Goethe Co's Colony 9", recorded in the office of the County Recorder of Sacramento County, on Map 4, 1903, in Book 5 of Maps, Map No. 18.

EXCEPTING THEREFROM the following described parcel of land:

BEGINNING at the Southeast corner of said Tract 905 and running thence Westerly along the South line of said Tract 905, 90 feet to a point; and running thence Northerly and parallel to the East line of said Tract 905 a distance of 60 feet to a point; and running thence Easterly and parallel to the South line of said Tract 905 a distance of 90 feet to a point in the East line of said Tract 905; and running thence Southerly along the Easterly line of said Tract 905, a distance of 60 feet to the point of beginning.

B. All that portion of Lot 905 as shown on the plat of "H.J. Goethe Co.'s Colony #9", recorded in the office of the County Recorder of Sacramento County on May 4, 1903, in Book 5 of Maps, Map No. 18, described as follows:

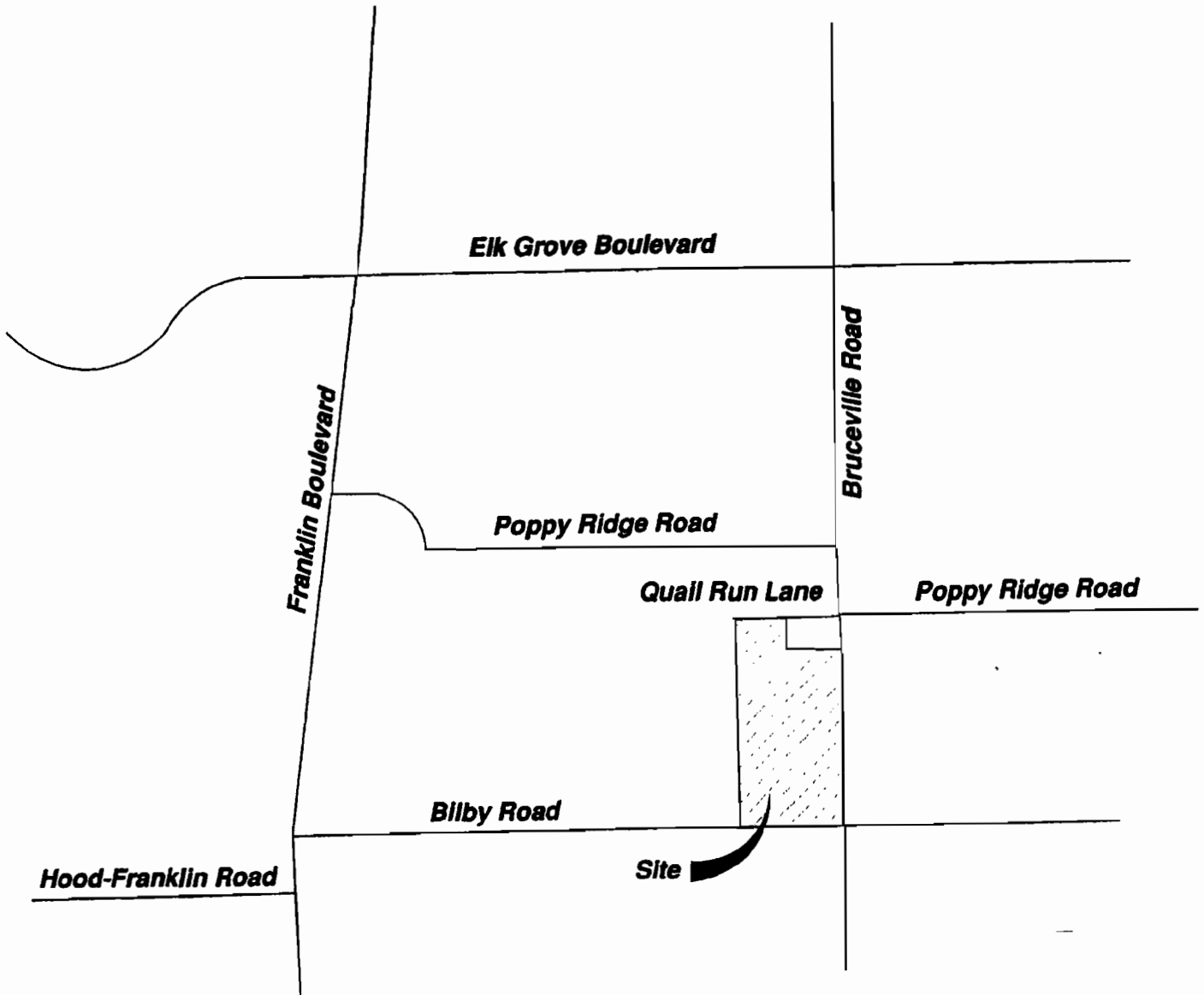
BEGINNING at the Southeast corner of said Tract 905 and running thence Westerly along the South line of said Tract 905 ninety feet to a point; and running thence Northerly and parallel to the East line of said Tract 905 a distance of 60 feet to a point; and running thence Easterly and parallel to the South line of said Tract 905 a distance of 90 feet to a point in the East line of said Tract 905; and running thence Southerly along the Easterly line of said Tract 905, a distance of 60 feet to the point of beginning.

APN: 132-0050-041

PARCEL 3:

Lots 901, 902, 903, 906, 907 and 908, as shown on "H.J. Goethe Co's. Colony 9", filed 5-4-03 in Book 5 of Maps, Map No. 18, Sacramento County Records.

APN: 132-0050-046



MACKAY & SOMPS
CIVIL ENGINEERS, INC.
SACRAMENTO, CALIFORNIA (916) 929-6092

*East Meadow
&
Machado Dairy*

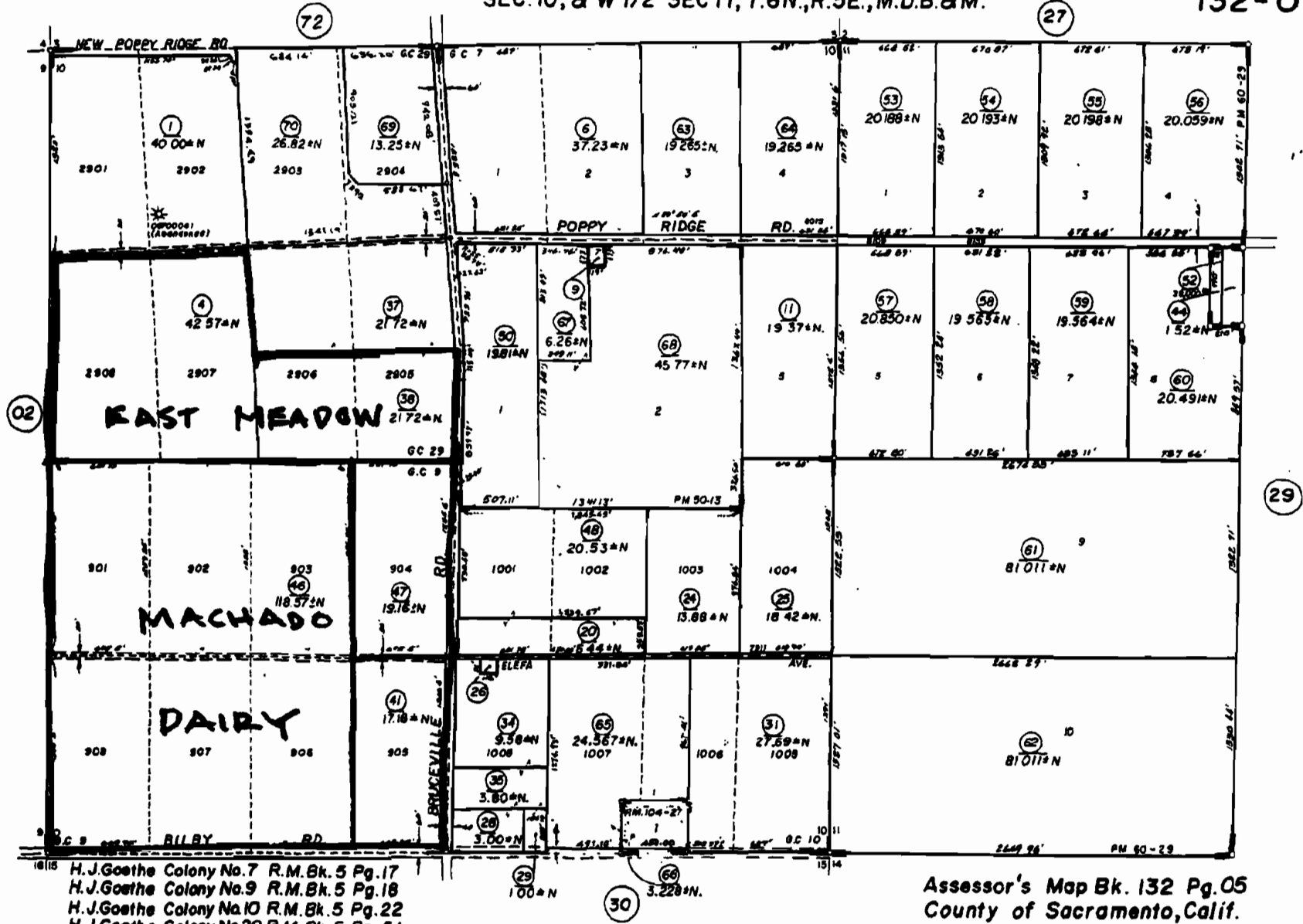
February 4, 2003 Not to Scale

Vicinity Map

7745-10

SEC. 10, & W 1/2 SEC 11, T.6N., R.5E., M.D.B.&M.

132-0



H.J. Goethe Colony No. 7 R.M. Bk. 5 Pg. 17
 H.J. Goethe Colony No. 9 R.M. Bk. 5 Pg. 18
 H.J. Goethe Colony No. 10 R.M. Bk. 5 Pg. 22
 H.J. Goethe Colony No. 29 R.M. Bk. 5 Pg. 51

Assessor's Map Bk. 132 Pg. 05
 County of Sacramento, Calif.

Exhibit B

**Description of Property and Vicinity Map For
Elk Grove Meadows Unit 2**

See Attached



WOOD RODGERS

DESCRIPTION

Real property in the City of Elk Grove, County of Sacramento, State of California as described as follows:

Being all of the remainder lot as shown on that certain final map entitled "Elk Grove Meadows Unit 1" as filed for records in Book 305 of Maps, at Page 7, Sacramento County records.

APN: 132-0030-038 (Portion)

VICINITY MAP

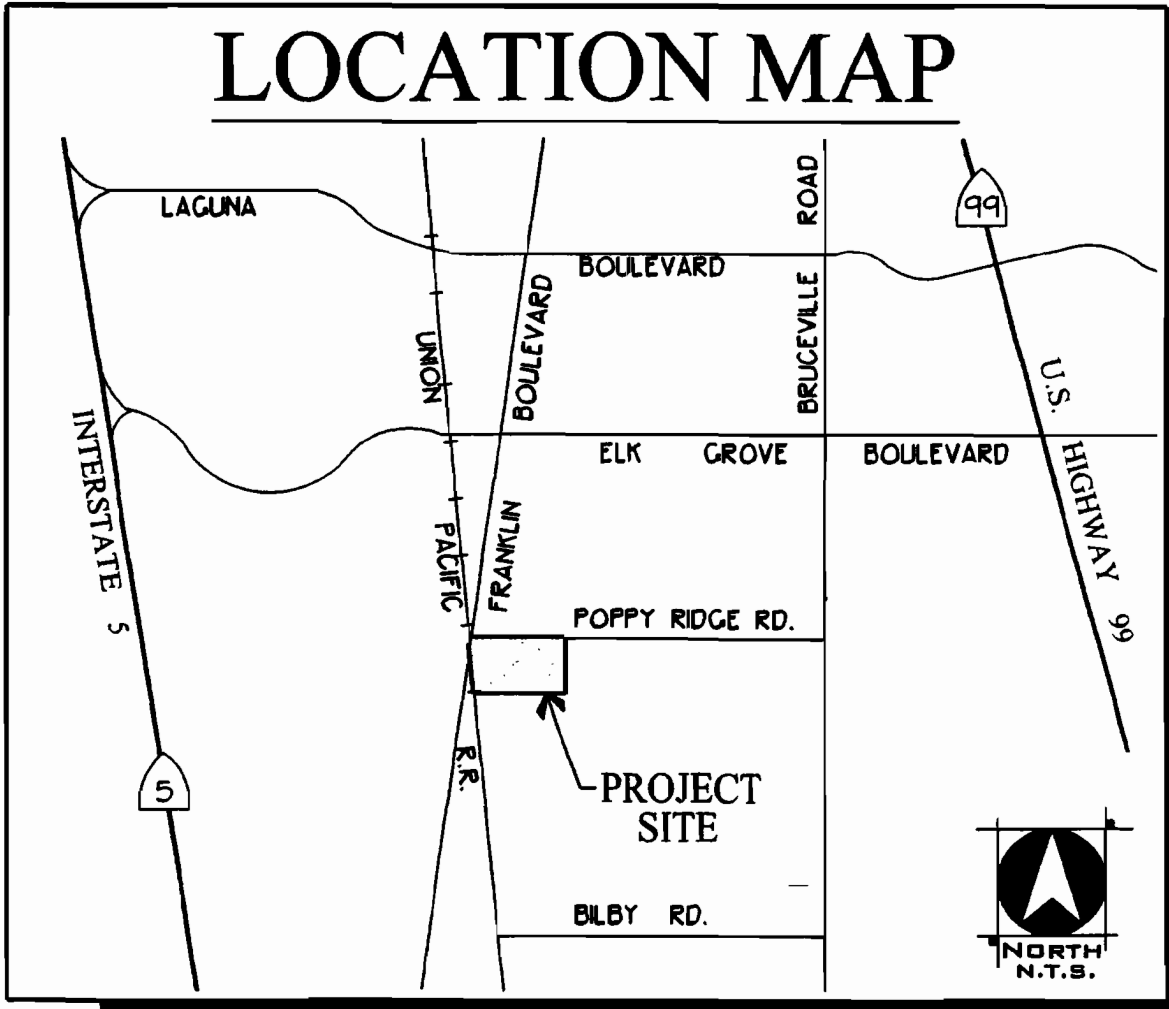
ELK GROVE MEADOWS UNIT 2

REYVEN & BARDIS, LLC

ELK GROVE

CALIFORNIA

APRIL 2008



WOOD RODGERS
ENGINEERING • MAPPING • PLANNING • SURVEYING

3301 C St, Bldg. 100-B
Sacramento, CA 95816

Tel 916.341.7760
Fax 916.341.7767

Exhibit C

**Description of Property and Vicinity Map For
Elk Grove Commons**

See Attached

EXHIBIT "A"
DESCRIPTION OF THE ELK GROVE COMMONS PROPERTY

All that certain real property situated in the City of Elk Grove, County of Sacramento, State of California, being Exhibit "A" Resultant Parcel per a Boundary Line Adjustment document recorded in Book 20020213 at Page 1900 in the Official Records of Sacramento County.

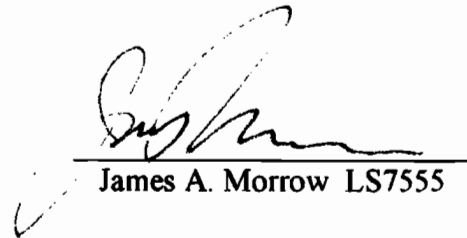
See Exhibit "A-1", plat to accompany description attached hereto and made a part hereof.

End of description.

This description was prepared by me or under my direction pursuant to the Professional Land Surveyors Act.

Pursuant to the California Subdivision Map Act, this document shall not be used for conveyance of title.

Dated: 7.17.03


James A. Morrow LS7555



M:\Description\7000\7600\7689-01\
Elk Grove Commons
07-14-03 RMP
Page 1 of 2

Prepared by the firm of
MacKay and Soms Civil Engineers, Inc.
Sacramento, California

NORTH LINE OF NORTHWEST ONE-QUARTER
ELK GROVE BOULEVARD

SOUTHWEST CORNER
OF RESULTANT PARCEL

N89°24'51"E. 969.00'

N01°00'32"W
86.48'

R=531' Δ=11°04'35"
L=102.65'

N14°04'03"E 100.35'

N79°55'57"W (R)

N10°04'03"E 123.05'

R=476' Δ=10°56'47"
L=90.94'

EXHIBIT "A"
RESULTANT PARCEL
PER 20020213 OR 1900
30.046 ACRES

N00°52'44"W
394.13'

R=476'
L=90.94'

Δ=100°41'36"
L=836.54'

R=531' Δ=06°04'49"
L=56.35'

S78°25'40"W
162.40'

S75°57'10"W
102.97'

N89°52'15"W 133.04'

S00°07'45"W 1300.53'

BRUCEVILLE ROAD

EAST LINE OF
NORTHWEST ONE-QUARTER



0' 100' 300' 600'

Scale: 1" = 300'

EXHIBIT "A-1"

Plat to Accompany Description
ELK GROVE COMMONS
STORM WATER UTILITY
ANNEXATION EXHIBIT
City of Elk Grove
Sacramento County California

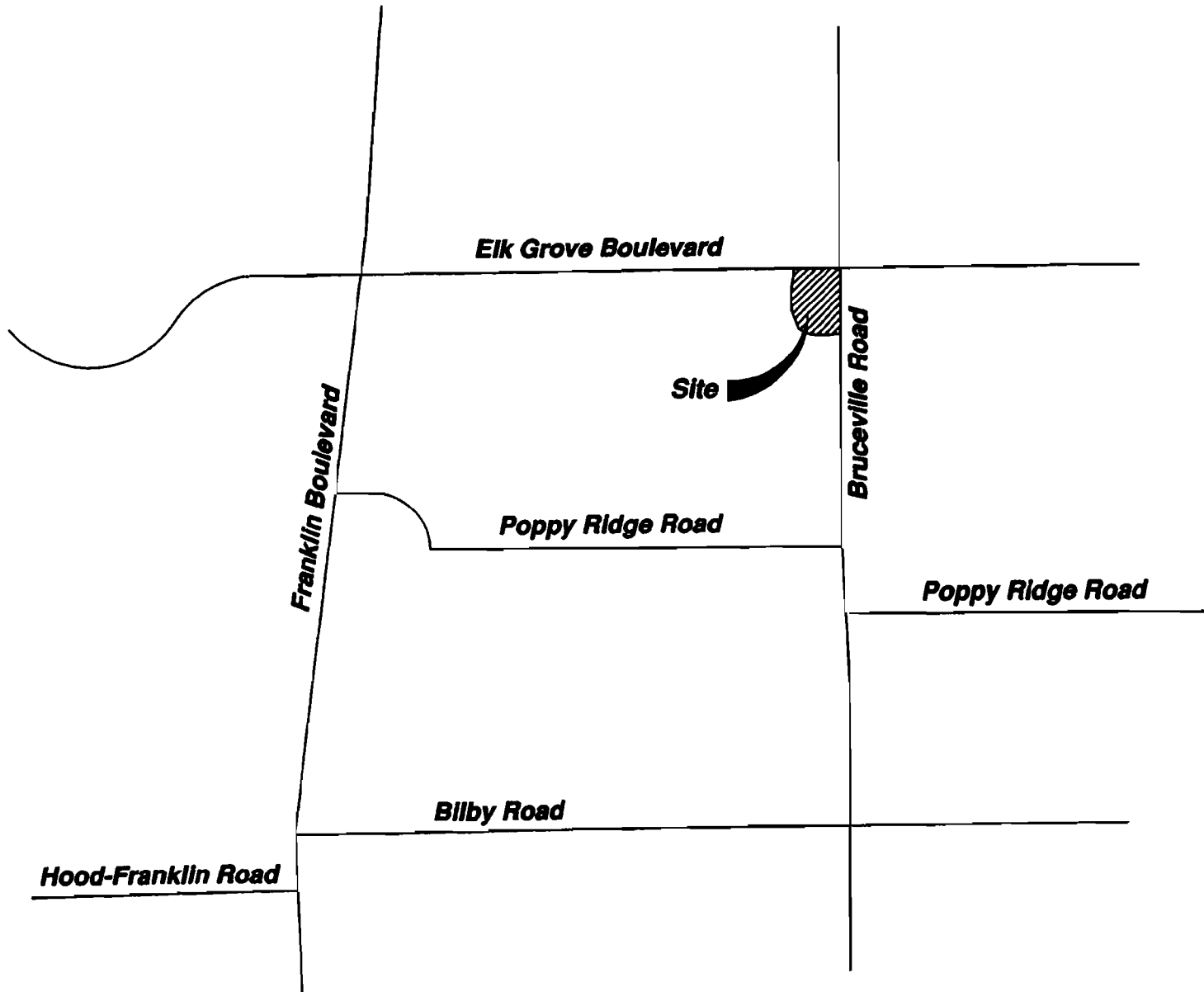
MACKAY & SOMPS

CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING
SACRAMENTO, CA. 95815 (916) 929-6092

7-14-03

PAGE 2 OF 2

7689-01



Elk Grove Commons

July 17, 2003

Not to Scale

Vicinity Map

MACKAY & SOMPS
CIVIL ENGINEERS, INC.
SACRAMENTO, CALIFORNIA (916) 929-6092

7689-01

Exhibit D

Form of Published and Mailed Notice

**CITY OF ELK GROVE
NOTICE OF HEARING ON
PROPOSED STORM DRAINAGE FEE**

Hearing. Notice is hereby given that on Wednesday, October 1, 2003, at 6:30 p.m., or as soon thereafter as the matter may be heard, at the City Hall, 8400 Laguna Palms Way, Elk Grove, California, the City Council of the City of Elk Grove shall hold a public hearing on the proposed levy of fees on East Meadows, Machado Dairy, Elk Grove Meadows Unit 2, and Elk Grove Commons to pay for the cost of storm drainage services.

Storm Drainage Fee. The amount of the proposed fee is based on each parcel's proportional share (based on the amount of stormwater runoff from the parcel) of the cost of operating and maintaining drainage facilities. The fees are calculated as follows:

- 1. A single-family residential parcel shall pay a monthly charge equal to the administrative charge + (unit service charge (USC) x 3,500 x each residential dwelling unit).**
- 2. All other non-exempt parcels shall pay a monthly charge equal to the administrative charge + (parcel area x USC x the impervious factor).**

The unit service charge shall be \$0.001583 per square foot of impervious area. The impervious factors shall be based on the following table:

Property Category	Impervious Factor
Commercial/office	0.80
Industrial	0.70
Multi-family residential	0.60
Institutional	0.50
Low impervious development	0.10

Dated: Aug 6, 2003

City Clerk, City of Elk Grove

Exhibit E

Form of Ballot

**OFFICIAL BALLOT
CITY OF ELK GROVE
STORM DRAINAGE FEE**

Assessor's Parcel Number(s): _____

Name(s) of Property Owner(s): _____

Property Owner's Address: _____

Instructions For Completing and Delivering This Ballot

To express your view on the proposed storm drainage fee, place a check mark before the word "YES" or "NO," then sign and date the ballot. After completing your ballot, seal it in an envelope and mail or deliver this entire ballot to the City Clerk at 8400 Laguna Palms Way, Elk Grove, California, 95758.

Ballots may be sent or delivered to the City Clerk at any time, but **MUST** be received not later than 4:00 p.m. on **Tuesday, November 18, 2003**, the time set for the election. If all ballots are received prior to that date and time, the City Clerk will close the election and tabulate the ballots.

PLEASE EXPRESS YOUR VIEW BY MARKING AND SIGNING BELOW

Yes, I/we approve the proposed storm drainage fee that was described in the notice of hearing dated August 6, 2003.

No, I/we do not approve the proposed storm drainage fee.

I/we hereby declare under penalty of perjury that I am/we are the record owner(s) of the parcel(s) listed above.

Signature of Record Owner

Date

Signature of Record Owner

Date