



Sacramento County Recording
 Mark Norris, Clerk/Recorder
 BOOK **20040507** PAGE **1176**

Friday, MAY 07, 2004 11:12:34 AM
 Ttl Pd \$0.00 Nbr-0002776073

DML/39/1-6

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

RESOLUTION NO. 2004-77

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE TO
 VACATE A PORTION OF A PUBLIC STREET EASEMENT LOCATED AT 8840
 BRUCEVILLE ROAD (ABANDONMENT PROCEEDING NUMBER EG-02-284)**

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 a portion of a street right of way over Bruceville Road specifically shown on the attached Exhibit; 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 the vacation of the public utility easement 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 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 public street right of way is unnecessary for present or prospective public use because it is excess right of way and is not needed due to the current alignment of Bruceville Road; and
- c. That the public interest will be served by the herein vacation.

BE IT FURTHER RESOLVED AND ORDERED that the right of way easement over a portion of Bruceville Road as shown in Exhibits "A" and "B" is 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 21st day of April 2004.


SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

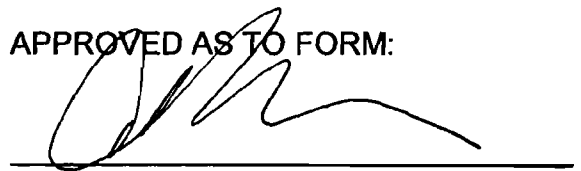

ANTHONY B. MANZANETTI,
CITY ATTORNEY

EXHIBIT A

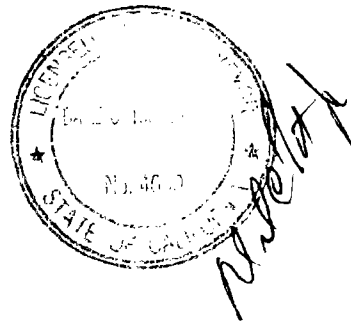
RIGHT-OF-WAY TO BE VACATED

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF THAT PROPERTY DESCRIBED IN THE EASEMENT FOR RIGHT OF WAY FILED IN BOOK 990203, OFFICIAL RECORDS, PAGE 275, SACRAMENTO COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED IN BOOK 9907-22, OFFICIAL RECORDS, PAGE 1219, SAID COUNTY RECORDS; THENCE ON THE SOUTH LINE OF SAID TRACT, SOUTH 89°26'26" WEST, 50.10 FEET TO THE **POINT OF BEGINNING**; THENCE LEAVING SAID SOUTH LINE, ON THE ARC OF A CURVE CONCAVE TO THE WEST, WITH A RADIUS OF 3,485.41 FEET, THROUGH A CENTRAL ANGLE OF 00°48'17", FOR AN ARC LENGTH OF 48.95 FEET, SUBTENDED BY A CHORD BEARING NORTH 05°10'41" WEST, 48.95 FEET TO A POINT OF CUSP; THENCE SOUTH 00°36'28" EAST, 48.79 FEET TO SAID SOUTH LINE OF SAID TRACT; THENCE ON SAID SOUTH LINE, NORTH 89°26'26" EAST, 3.90 FEET TO THE POINT OF BEGINNING.

CONTAINING 97 SQUARE FEET, MORE OR LESS





LAGUNA CREEK

Area to be Dedicated

APARTMENTS
(Under Construction)

Area to be Abandoned

CENTER PARKWAY

BRUCEVILLE ROAD

MORROW SURVEYING
1450 Harbor Blvd. Ste. D
West Sacramento, CA 95691
(916) 372-8124

site: LAGUNA CREEK APARTMENTS

client: CITY OF FOLK GROVE

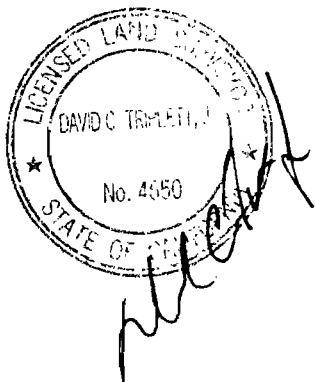
date: JANUARY, 2004

scale: 1" = 150'

drawing: 0197-00\CITYEXHIBIT.dwg SJP

C.O.C.
9907-22 O.R. 1219

EXISTING R/W



S 00°36'28" E

VARIES

BRUCEVILLE

ROAD

S 84°25'11" W (R)

S 00°36'28" E, 48.79'

RIGHT-OF-WAY
TO BE VACATED

R=3485.41'
D=00°48'17"
L=48.95'
CH=N 05°10'41" W, 48.95'

N 89°26'26" E

S 85°13'28" W (R)

50.10'

3.90'

P.O.B.

P.O.C.

EXHIBIT B

RIGHT-OF-WAY TO BE VACATED

ELK GROVE SACRAMENTO COUNTY CALIFORNIA

MORROW SURVEYING
1450 Harbor Blvd. Ste. D
West Sacramento, CA 95691
(916) 372-8124

site: LAGUNA CREEK APARTMENTS

client: AMERICAN PROPERTY DEVELOPMENT, INC.

date: February, 2004

scale: 1" = 40'

drawing: 0197-001/newvacation.dwg

SJP

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2004-77**

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

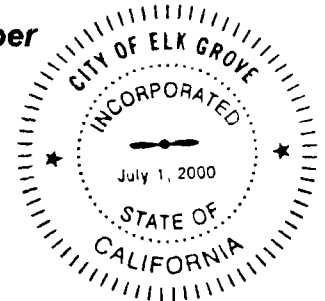
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 21st day of April 2004 by the following vote:

AYES 4: COUNCILMEMBERS: Scherman, Soares, Briggs, Cooper

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 1: COUNCILMEMBERS: Leary



A handwritten signature in cursive script, reading "Peggy E. Jackson".

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