


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


Sacramento County Recording
Mark Norris, Clerk/Recorder
BOOK **20040210** PAGE **0002**
Tuesday, FEB 10, 2004 7:08:34 AM
Ttl Pd \$0.00 Nbr-0002585019
SLT/22/1-6

RESOLUTION NO. 2004-17

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE TO
VACATE VARIOUS PUBLIC UTILITY EASEMENTS, A TREE PLANTING AND
MAINTENANCE EASEMENT, AND TWO VISIBILITY EASEMENTS ON
HOSPENTHAL WAY
AND VACATION OF INGRESS AND EGRESS RIGHTS TO
EAST STOCKTON BOULEVARD
(ABANDONMENT PROCEEDING NUMBER EG-01-146-IP-AB)**

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 public utility easement over Assessor's Parcel No.'s 116-0410-062, and 116-0410-0064 specifically shown on the attached Exhibits; 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 utility easement is unnecessary for present or prospective public use because new easements will be provided once the parcels are developed; and
- c. That the public interest will be served by the herein vacation.

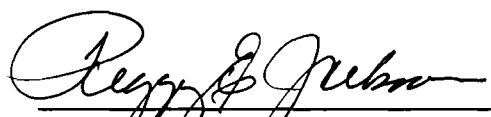
BE IT FURTHER RESOLVED AND ORDERED that the public utility easement over portions of the property shown on the attached Exhibit "A", "B", and "C" is hereby vacated.

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.

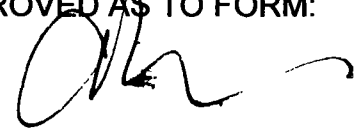
PASSED AND ADOPTED by the City Council of the City of Elk Grove this 4th day of February 2004.

for 

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

PUBLIC UTILITY EASEMENT PROPOSED FOR ABANDONMENT

DESCRIPTION

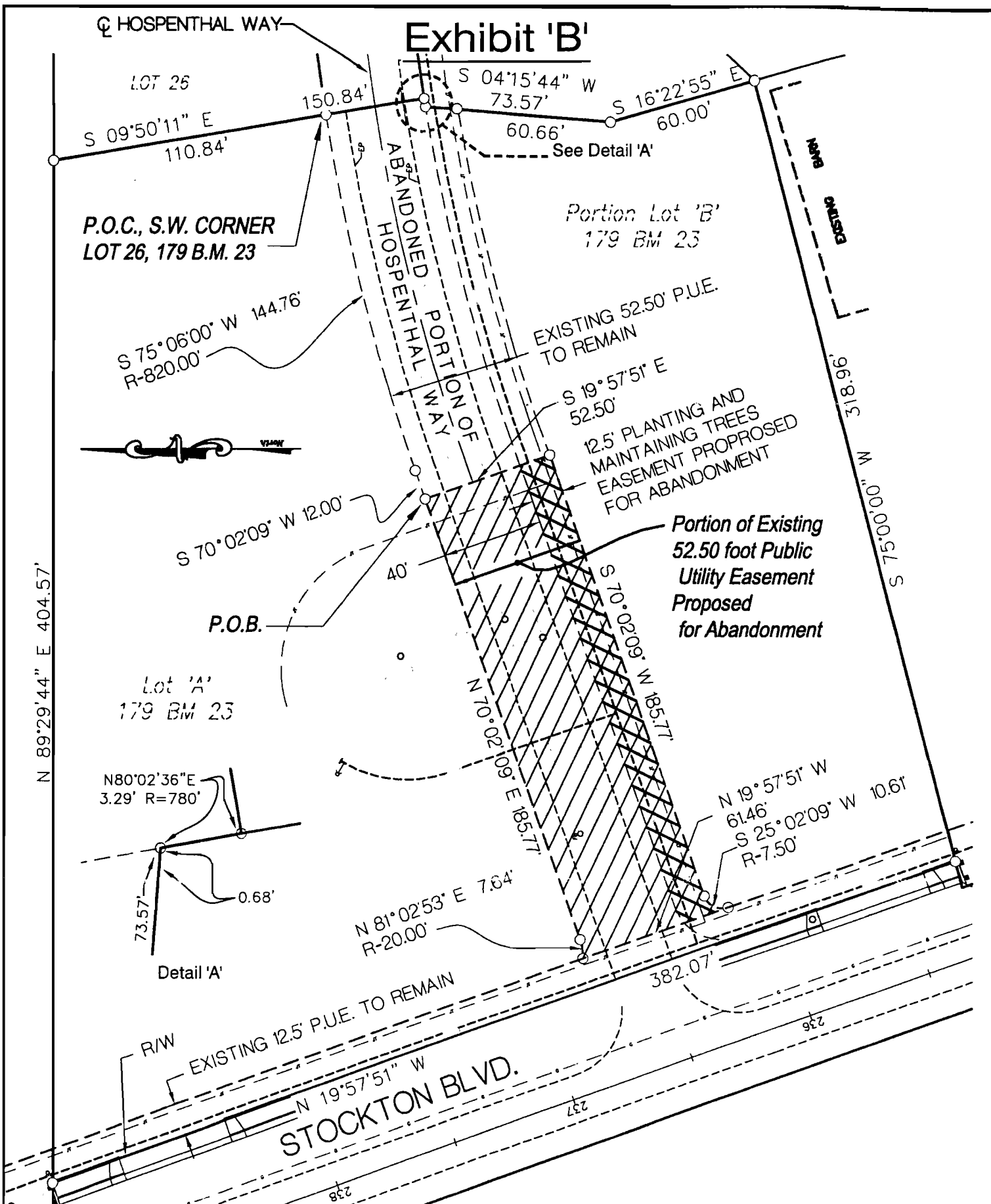
ALL THAT REAL PROPERTY situated in the City of Elk Grove, County of Sacramento, State of California and being a portion of Lot B and a portion of what was formerly Hospenthal Way as shown on the "Revised Plat of Live Oaks", filed for record in the Office of the Recorder of Sacramento County on October 21, 1987 in Book 179 of Maps, Map No. 23. More particularly described as follows:

COMMENCING at a point common to the Southeast corner of Lot A and the Southwest corner of Lot 26 as shown on said "Revised Plat of Live Oak"; thence along the South line of said "Lot A", the following two (2) courses and distances:

- 1) Along the arc of an 820.00 foot radius curve, concave to the South, through a central angle of $10^{\circ} 07' 40''$, the chord of which bears South $75^{\circ} 06' 00''$ West, 144.76 feet;
- 2) South $70^{\circ} 02' 09''$ West, 12.00 feet to the true point of beginning;

thence from said point of beginning South $19^{\circ} 57' 51''$ East, 52.50 feet to a point on the South line of an existing 12.50 public utility easement shown on said "Revised Plat"; thence South $70^{\circ} 02' 09''$ West, 185.77 feet; thence along the arc of a 7.50 foot radius curve, concave to the Southeast, through a central angle of 90° , the chord of which bears South $25^{\circ} 02' 09''$ West, 10.61 feet; thence parallel with the East line of Stockton Blvd., being 12.50 feet Easterly, measured at right angles, North $19^{\circ} 57' 51''$ West, 61.46 feet; thence along the arc of a non-tangent, 20.00 foot radius curve, concave to the North, through a central angle of $22^{\circ} 01' 28''$, the chord of which bears North $81^{\circ} 02' 53''$ East, 7.64 feet; thence North $70^{\circ} 02' 09''$ East, 185.77 feet to the POINT OF BEGINNING.





BAKER-WILLIAMS ENGINEERING GROUP

Engineering / Surveying / Land Planning / Entitlement Processing / GPS Services

8020 Rutland Drive, Suite 19 - Carmichael, CA. 95608
(916) 331-4336 - fax (916) 331-4430 - office@bwengineers.com

SCALE: 1" = 50'

JOB #: 01-12-129

DATE: Dec. 2002

**Proposed Abandonment for
52.5' Public Utility Easement**

City of Elk Grove State of California

Exhibit 'C'

NO INGRESS/EGRESS RIGHTS
LINE PER 172 B.M. 15 TO REMAIN

Lot 'A'
150 B.M. 14

NO INGRESS/EGRESS
RIGHTS LINE
PER 172 B.M. 15
TO BE ABANDONED
FOR DRIVEWAY ACCESS

PROPOSED DRIVEWAY

STATE HWY. ROUTE 99
EAST STOCKTON BLVD.

BUILDING

PROPOSED

HOSPENTHAL
RIGHT-OF-WAY
PER 172 B.M. 15
(NOW ADABONED)

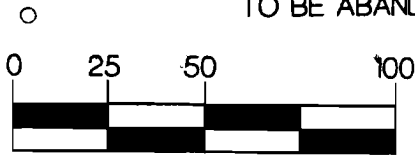
VISIBILITY EASEMENTS
PER 172 B.M. 15
TO BE ABANDONED

NO INGRESS/EGRESS
RIGHTS LINE PER
172 B.M. 15
TO REMAIN

PROPOSED DRIVEWAY

NO INGRESS/EGRESS RIGHTS LINE
PER 172 B.M. 15 TO BE ABANDONED
FOR DRIVEWAY ACCESS

PARCEL 2
45 P.M. 4



SCALE: 1" = 50'



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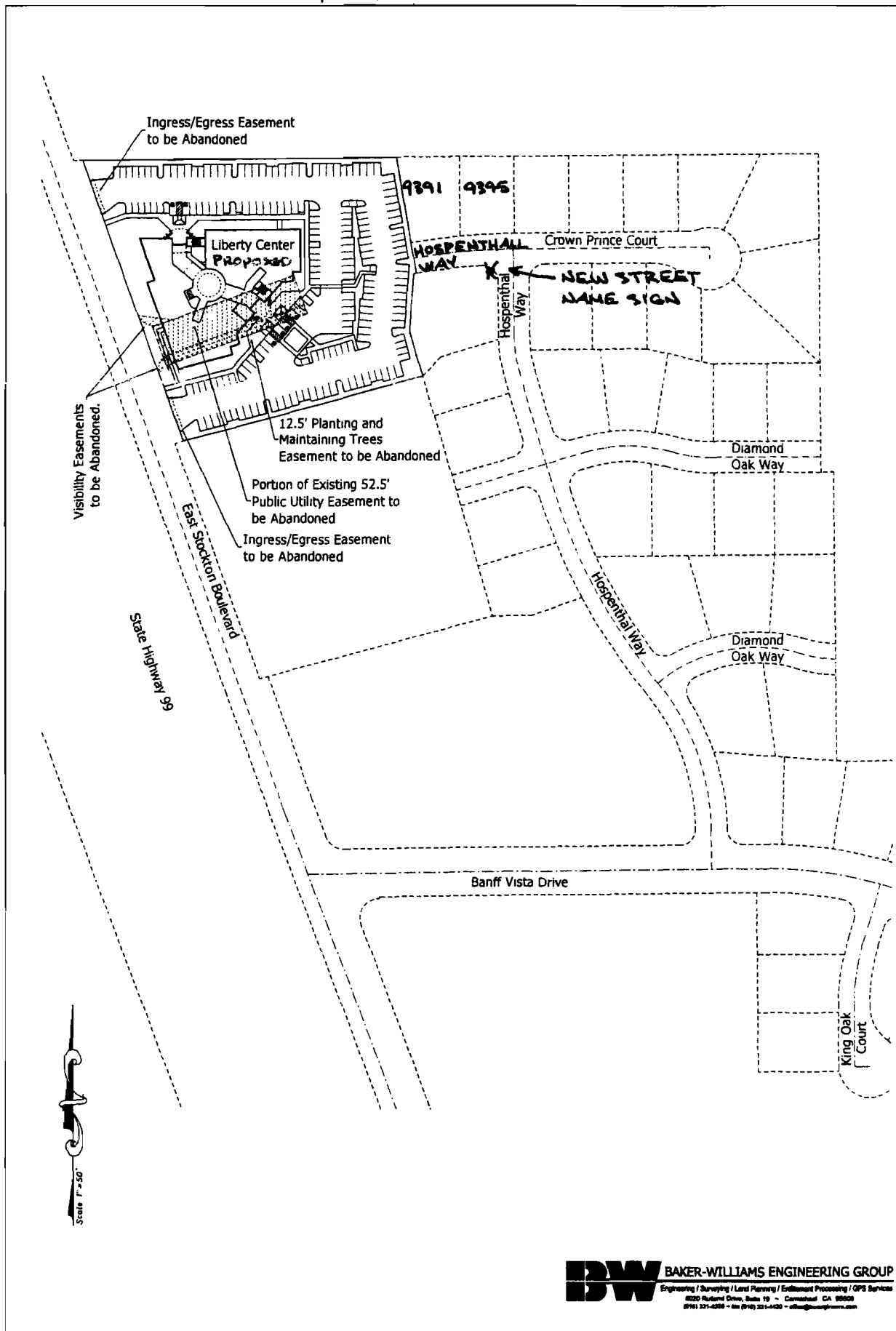
SCALE: 1" = 50'

JOB #: 01-12-129

DATE: Nov. 20, 03

LIBERTY PROFESSIONAL CENTER
NO INGRESS/EGRESS RIGHTS AND VISIBILITY
EASEMENT ABANDONMENT EXHIBIT
CITY OF ELK GROVE, COUNTY OF SACRAMENTO,
STATE OF CALIFORNIA

Exhibit D



CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2004-17

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

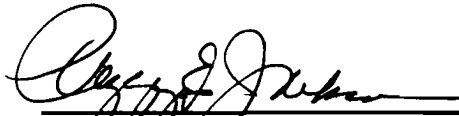
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 4th day of February 2004 by the following vote:

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

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 0: COUNCILMEMBERS: Scherman



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