



Sacramento County
Donna Allred, Clerk/Recorder

Doc # **202303220436**

3/22/2023 10:35:32 AM

CRR
Titles 1
Pages 18

Fees	\$0.00
Taxes	\$0.00
PCOR	\$0.00
Paid	\$0.00

NO FEE DOCUMENT
Government Code §27383
RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

City Clerk's Office
City of Elk Grove
8401 Laguna Palms Way
Elk Grove, CA 95758

Space above this line for Recorder's use

RESOLUTION NO. 2023-050

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A SET-ASIDE FOR PUBLIC RIGHT-OF-WAY PURPOSES AND
A SET-ASIDE FOR PUBLIC UTILITY EASEMENT PURPOSES ON CITY-
OWNED PARCELS (APN 127-0010-100, 127-0010-101, 127-0010-102, and
127-0010-103) TO SERVE THE ELLIOTT SPRINGS SUBDIVISION NO. 11-046
(NO FURTHER ENVIRONMENTAL REVIEW REQUIRED)**

RESOLUTION NO. 2023-050

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A SET-ASIDE FOR PUBLIC RIGHT-OF-WAY PURPOSES AND A SET-ASIDE FOR PUBLIC UTILITY EASEMENT PURPOSES ON CITY-OWNED PARCELS (APN 127-0010-100, 127-0010-101, 127-0010-102, and 127-0010-103) TO SERVE THE ELLIOTT SPRINGS SUBDIVISION NO. 11-046 (NO FURTHER ENVIRONMENTAL REVIEW REQUIRED)

WHEREAS, the City of Elk Grove (City) is the fee owner of the properties, identified as Assessor Parcel Numbers (APNs) 127-0010-100, 127-0010-101, 127-0010-102, and 127-0010-103 (Parcels); and

WHEREAS, on July 23, 2014, the City approved a Development Agreement, Special Planning Area and Tentative Subdivision Map for what is now known as Elliott Springs Subdivision (Subdivision No. 11-046); and

WHEREAS, Elliott Springs Subdivision is required to improve public street connection on Bond Road and install public utilities along the Parcels' frontage; and

WHEREAS, to allow for the public street connection and orderly development of underground utilities, a public right-of-way easement and a public utility easement across the Parcels is necessary.

WHEREAS, approving a set-aside for a public right-of-way and a set-aside for public utility easement across the Parcels will allow for public access and installation of necessary utilities serving the Elliott Springs Subdivision; and

WHEREAS, no further environmental review is required, pursuant to State CEQA Guidelines Section 15162, which identifies the requirements for which subsequent analysis is required.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby finds as follows:

- 1) The set-aside for public utility easement purposes over the Parcels would be consistent with and not violate the General Plan and all elements and components thereof; and
- 2) Public interest will be served by the set-asides hereby created; and
- 3) The area described in Exhibits A and A-1, legal description and plat, attached hereto and incorporated herein by reference, shall from this day forward be set-aside for public right-of-way purposes and all uses incidental thereto; and
- 4) The area described in Exhibits B-1, and B-2, legal description and plat, attached hereto and incorporated herein by reference, shall from this day forward be set-aside for public utility easement and all uses incidental thereto under the terms and conditions described in Exhibit B attached hereto and incorporated herein by reference; and

5) The City Council does hereby direct the City Clerk to cause a certified copy of this Resolution, including Exhibits A, A-1, B, B-1, and B-2, attested to by the Clerk under seal, to be recorded in the office of the County Recorder of the County of Sacramento.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 8th day of March 2023



BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

EXHIBIT 'A'
LEGAL DESCRIPTION
ELLIOTT SPRINGS
RIGHT-OF-WAY EASEMENTS

All those portions of Parcel One and Parcel Two, as said Parcels are described in that certain Grant Deed from County Sanitation District No. 1 of Sacramento County to the City of Elk Grove, recorded May 03, 2005, in Book 20050503, at Page 0322, Official Records of Sacramento County, said Parcel One and Parcel Two also being shown on that certain Final Map entitled "Elliott Springs Unit 1", filed for Record in Book 440 of Maps, at Page 6, Sacramento County Records, situate within the southeast one-quarter of Section 30, Township 7 North, Range 6 East, Mount Diablo Base and Meridian, being more particularly described as follows:

ROW AREA 1:

That portion of said Parcel Two, being described as follows:

COMMENCING at a point which is the south quarter corner of said Section 30; thence from said **POINT OF COMMENCEMENT**, along the west line of said southeast one-quarter of Section 30, North 00°39'38" West, a distance of 61.00 feet to the northwest corner of said Parcel Two; thence along the north line of said Parcel Two, North 89°23'57" East, a distance of 117.02 feet to the **TRUE POINT OF BEGINNING**; thence from said **TRUE POINT OF BEGINNING**, continuing along said north line, North 89°23'57" East, a distance of 42.00 feet; thence leaving said north line, through said Parcel Two the following three (3) arcs, courses and distances:

- 1) from a radial line which bears South 89°46'18" West, along a non-tangent curve concave to the northeast, having a radius of 19.00 feet, southeasterly 29.95 feet along said curve through a central angle of 90°19'34";
- 2) North 89°26'44" East, a distance of 0.98 feet;
- 3) South 00°29'22" East, a distance of 5.88 feet to the south line of said Parcel Two;

Thence along said South line, South 89°23'57" West, a distance of 81.97 feet; thence leaving said South line, through said Parcel Two, the following three (3) arcs, courses and distances:

- 1) North 00°33'21" West, a distance of 5.91 feet;
- 2) North 89°16'11" East, a distance of 1.06 feet;
- 3) from a radial line which bears South 00°43'53" East, along a non-tangent curve concave to the northwest, having a radius of 19.00 feet, northeasterly 29.89 feet along said curve through a central angle of 90°07'45" to the **TRUE POINT OF BEGINNING**.

Containing 1,441 square feet, more or less.

ROW AREA 2:

That portion of said Parcel One, being described as follows:

COMMENCING at a point which is the southeast corner of said Section 30; thence from said **POINT OF COMMENCEMENT**, along the south line of said Section 30, also being the centerline of Bond Road as shown on said Final Map, South 89°23'57" West, a distance of 495.00 feet; thence leaving said south line, along the easterly boundary of said Final Map, North 00°34'41" West, a distance of 36.00 feet to southeast corner of said Parcel One; thence along the south line of said Parcel One, South 89°23'57" West, a distance of 806.83 feet to the **TRUE POINT OF BEGINNING**; thence from said **TRUE POINT OF BEGINNING**, continuing along said south line of Parcel One, South 89°23'57" West, a distance of 176.19 feet; thence along the southwesterly line of said Parcel One, from a radial line which bears South 00°36'30" East, along a non-tangent curve concave to the northeast, having a radius of 25.00 feet, northwesterly 24.58 feet along said curve through a central angle of 56°19'43"; thence leaving said southwesterly line, through said Parcel One the following four (4) arcs, courses and distances:

- 1) from a radial line which bears South 16°44'30" West, along a non-tangent curve concave to the north, having a radius of 25.00 feet, easterly 7.57 feet along said curve through a central angle of 17°20'33";
- 2) North 89°23'57" East, a distance of 94.89 feet;
- 3) along a tangent curve concave to the south, having a radius of 259.00 feet, easterly 54.52 feet along said curve through a central angle of 12°03'40";
- 4) along a reverse curve concave to the north, having a radius of 194.00 feet, easterly 40.84 feet along said curve through a central angle of 12°03'40" to the **TRUE POINT OF BEGINNING**.

Containing 1,454 square feet, more or less.

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

The Basis of Bearings for this description is identical to said Final Map of "Elliott Springs Unit 1."

February 26, 2023

END OF DESCRIPTION

Andrew P. Tapley, PLS 9554



PREPARED BY WOOD RODGERS, INC
SACRAMENTO, CALIFORNIA

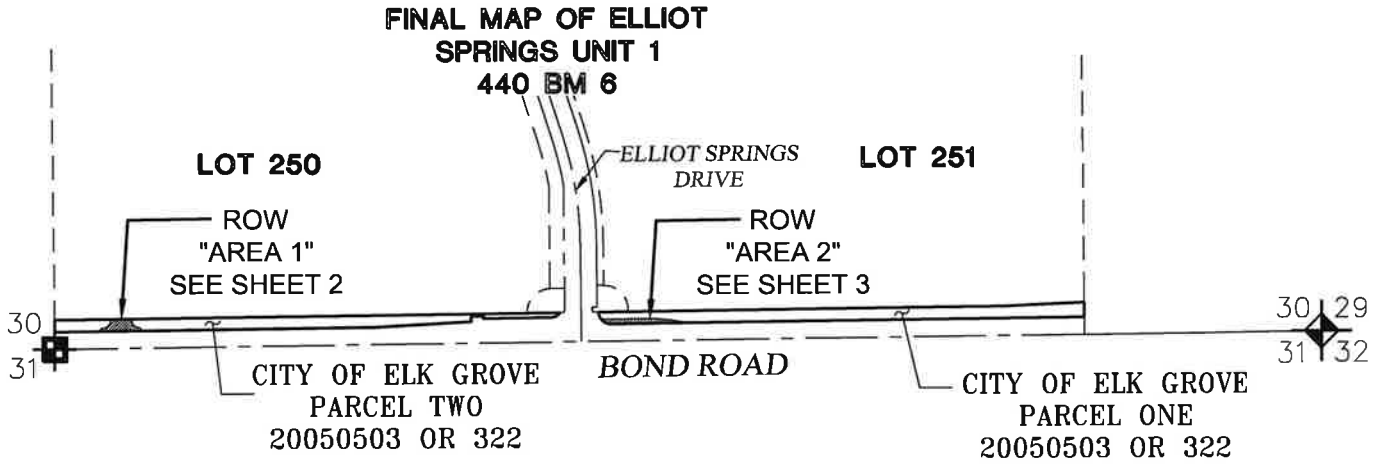
EXHIBIT 'A-1'

PLAT TO ACCOMPANY
DESCRIPTION

ELLIOTT SPRINGS
RIGHT-OF-WAY EASEMENTS
CITY OF ELK GROVE
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

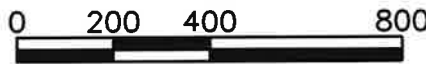
REFERENCES:

- (1) 440 BM 6 - FINAL MAP OF ELLIOTT SPRINGS UNIT 1



LEGEND:

- SOUTHEAST CORNER OF SECTION 30 PER (1)
- SOUTH 1/4 CORNER OF SECTION 30 PER (1)
- BM BOOK OF MAPS
- OR OFFICIAL RECORDS
- POC POINT OF COMMENCEMENT
- ROW RIGHT-OF-WAY EASEMENT
- TPOB TRUE POINT OF BEGINNING
- ADJACENT LOT LINE
- BOUNDARY LINE
- CENTERLINE



SCALE: 1" = 400'



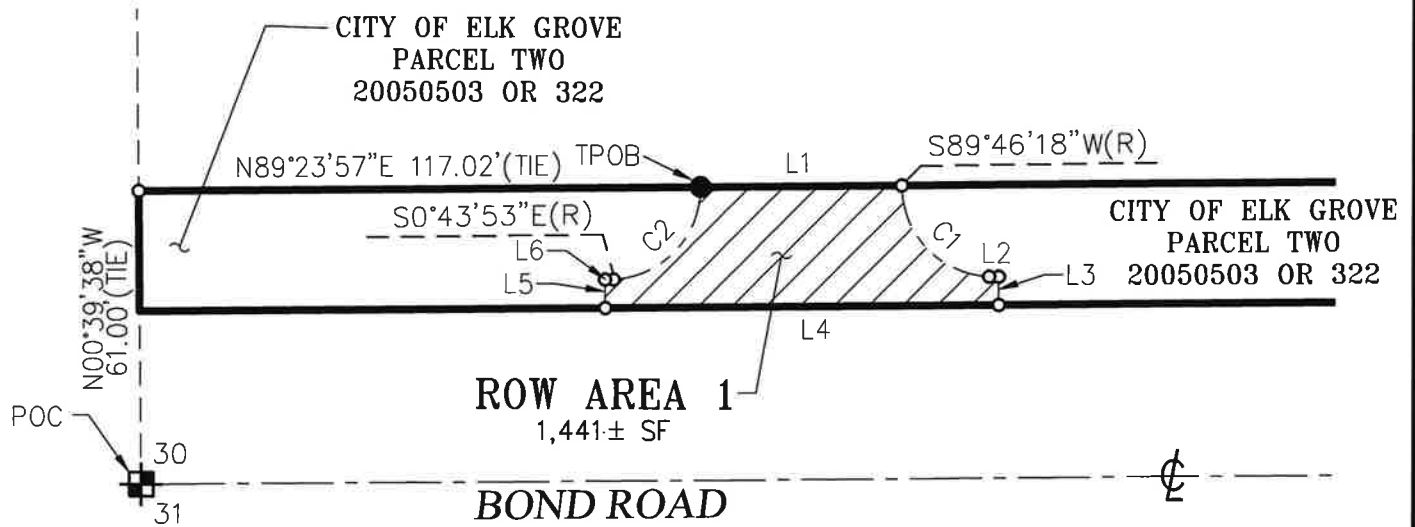
WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
3741 DOUGLAS BLVD, STE 150 TEL 916.341.7760
ROSEVILLE, CA 95661 FAX 916.341.7767

EXHIBIT 'A-1'

PLAT TO ACCOMPANY
DESCRIPTION

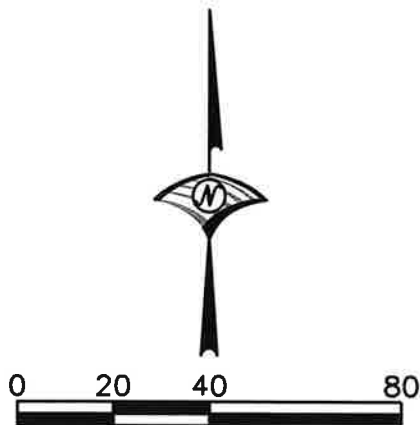
ELLIOTT SPRINGS RIGHT-OF-WAY EASEMENTS CITY OF ELK GROVE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

**LOT 250
440 BM 6**



CURVE TABLE – THIS SHEET ONLY			
NO.	RADIUS	DELTA	LENGTH
C1	19.00'	90°19'34"	29.95'
C2	19.00'	90°07'45"	29.89'

LINE TABLE – THIS SHEET ONLY		
NO.	BEARING	LENGTH
L1	N89°23'57"E	42.00'
L2	N89°26'44"E	0.98'
L3	S0°29'22"E	5.88'
L4	S89°23'57"W	81.97'
L5	N0°33'21"W	5.91'
L6	N89°16'11"E	1.06'



SCALE: 1" = 40'

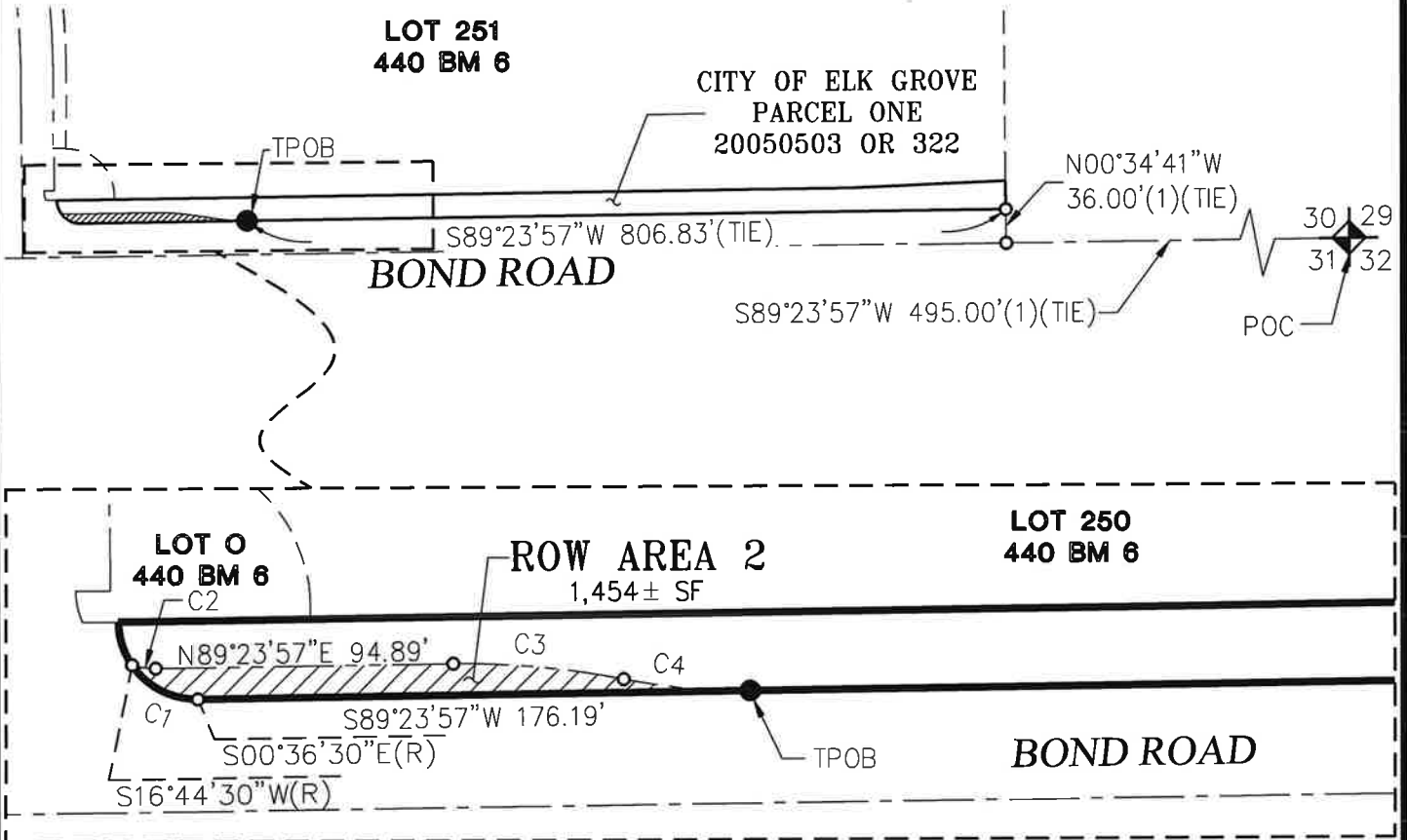
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EXHIBIT 'A-1'

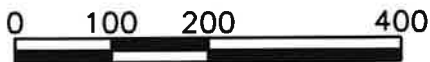
PLAT TO ACCOMPANY
DESCRIPTION

**ELLIOTT SPRINGS
RIGHT-OF-WAY EASEMENTS**

CITY OF ELK GROVE
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA



DETAIL 'A' - SCALE: 1" = 60'



SCALE: 1" = 200'

CURVE TABLE - THIS SHEET ONLY

NO.	RADIUS	DELTA	LENGTH
C1	25.00'	56°19'43"	24.58'
C2	25.00'	17°20'33"	7.57'
C3	259.00'	12°03'40"	54.52'
C4	194.00'	12°03'40"	40.84'



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EXHIBIT B

Terms and Conditions of Set-Aside Easement for Public Utilities and Public Facility Purposes

The City of Elk Grove does hereby delineate for public utilities and public facility purposes the set-aside area as described in Exhibits B-1 and B-2 attached hereto for use by any public utility provider (Provider) inclusive of digging, constructing, reconstructing, repairing, operating, upgrading and maintaining all necessary utilities and all appurtenances deemed necessary by said Provider on, under and across the real property as described, including the perpetual right of ingress and egress from said set-aside area, for the purpose of exercising and performing all of the rights and privileges herein granted, together with public facilities, including the installation and maintenance of a pedestrian walkway and appurtenances deemed necessary by the City.

If the surface area of any portion of the set-aside area is disturbed by Provider's exercise of any of its Easement-related rights, such area shall be restored to the condition in which it existed prior to such disturbance.

To the fullest extent permitted by law, Provider shall indemnify, protect, defend, and hold harmless City, its officers, officials, agents, employees, and volunteers from and against any and all claims and lawsuits, damages, demands, liability, costs, losses and expenses, including without limitation, court costs and reasonable attorneys' and expert witness fees, arising out of any failure to comply with applicable law, any injury to or death of any person(s), damage to property, loss of use of property, economic loss, or otherwise arising out of the performance of the work described in this set-aside area, to the extent caused by a negligent act or negligent failure to act, errors, omissions, recklessness, or willful misconduct incident to the performance of any utility work performed by Provider, except to the extent such loss or damage is caused by the sole negligence, or willful misconduct of the City.

The right to indemnity under this Section arises only upon occurrence of an event giving rise to a claim and/or lawsuit(s) and, thereafter, upon tender in writing to Provider.

Nothing in this indemnity obligation shall be construed to create any duty to, any standard of care with reference to, or any liability or obligation, contractual or otherwise, to any third party.

EXHIBIT 'B-1'
LEGAL DESCRIPTION
ELLIOTT SPRINGS
PUBLIC UTILITY EASEMENTS

All those portions of Parcel One and Parcel Two, as said Parcels are described in that certain Grant Deed from County Sanitation District No. 1 of Sacramento County to the City of Elk Grove, recorded May 03, 2005, in Book 20050503, at Page 0322, Official Records of Sacramento County, said Parcel One and Parcel Two also being shown on that certain Final Map entitled "Elliott Springs Unit 1", filed for Record in Book 440 of Maps, at Page 6, Sacramento County Records, situate within the southeast one-quarter of Section 30, Township 7 North, Range 6 East, Mount Diablo Base and Meridian, being more particularly described as follows:

PUE AREA 1:

That portion of said Parcel Two, being described as follows:

COMMENCING at a point which is the south quarter corner of said Section 30; thence from said **POINT OF COMMENCEMENT**, along the west line of said southeast one-quarter of Section 30, North 00°39'38" West, a distance of 61.00 feet to the northwest corner of said Parcel Two; thence along the north line of said Parcel Two, North 89°23'57" East, a distance of 79.17 feet to the **TRUE POINT OF BEGINNING**; thence from said **TRUE POINT OF BEGINNING**, continuing along said north line, North 89°23'57" East, a distance of 37.85 feet; thence leaving said north line, through said Parcel Two the following three (3) arcs, courses and distances:

- 1) from a radial line which bears North 89°08'23" East, along a non-tangent curve concave to the northwest, having a radius of 19.00 feet, southwesterly 29.89 feet along said curve through a central angle of 90°07'45";
- 2) South 89°16'11" West, a distance of 1.06 feet;
- 3) South 00°33'21" East, a distance of 5.91 feet to the south line of said Parcel Two;

Thence along said South line, South 89°23'57" West, a distance of 17.83 feet; thence leaving said South line, through said Parcel Two, North 00°36'03" West, a distance of 25.00 feet to the **TRUE POINT OF BEGINNING**.

Containing 750 square feet, more or less.

PUE AREA 2:

That portion of said Parcel Two, being described as follows:

COMMENCING at a point which is the south quarter corner of said Section 30; thence from said **POINT OF COMMENCEMENT**, along the west line of said southeast one-quarter of Section 30, North 00°39'38" West, a distance of 61.00 feet to the northwest corner of said Parcel Two; thence along the north line of said Parcel Two, North 89°23'57" East, a distance of 159.02 feet to the **TRUE POINT OF BEGINNING**; thence from said **TRUE POINT OF BEGINNING**, along said north line, North 89°23'57" East, a distance of 18.76 feet; thence

leaving said north line, through said Parcel Two the following two (2) arcs, courses and distances:

- 1) South 00°36'03" East, a distance of 19.12 feet;
- 2) from a radial line which bears South 00°08'04" West, along a non-tangent curve concave to the northeast, having a radius of 19.00 feet, northwesterly 29.72 feet along said curve through a central angle of 89°38'14", to the **TRUE POINT OF BEGINNING**.

Containing 281 square feet, more or less.

PUE AREA 3:

That portion of said Parcel Two, being described as follows:

COMMENCING at a point which is the south quarter corner of said Section 30; thence from said **POINT OF COMMENCEMENT**, along the west line of said southeast one-quarter of Section 30, North 00°39'38" West, a distance of 61.00 feet to the northwest corner of said Parcel Two; thence along the north line of said Parcel Two, North 89°23'57" East, a distance of 831.86 feet to the **TRUE POINT OF BEGINNING**; thence from said **TRUE POINT OF BEGINNING**, continuing along said north line, North 89°23'57" East, a distance of 216.42 feet to the most easterly corner of said Parcel Two; thence along the southerly line of said Parcel Two the following six (6) arcs, courses and distances:

- 1) from a radial line which bears South 53°43'51" East, along a non-tangent curve concave to the northwest, having a radius of 25.00 feet, southwesterly 23.19 feet along said curve through a central angle of 53°08'16";
- 2) South 89°23'57" West, a distance of 140.00 feet;
- 3) North 00°36'03" West, a distance of 5.00 feet;
- 4) South 89°23'57" West, a distance of 25.00 feet;
- 5) South 00°36'03" East, a distance of 11.00 feet;
- 6) South 86°49'21" West, a distance of 31.45 feet;

Thence leaving said southerly line, through said Parcel Two, North 00°36'03" West, a distance of 17.41 feet to the **TRUE POINT OF BEGINNING**.

Containing 2,190 square feet, more or less.

PUE AREA 4:

COMMENCING at a point which is the southeast corner of said Section 30; thence from said **POINT OF COMMENCEMENT**, along the south line of said Section 30, also being the centerline of Bond Road as shown on said Final Map, South 89°23'57" West, a distance of 495.00 feet; thence leaving said south line, along the easterly boundary of said Final Map, North 00°34'41" West, a distance of 36.00 feet to southeast corner of said Parcel One; thence along the south line of said Parcel One, South 89°23'57" West, a distance of 650.95 feet to the **TRUE POINT OF BEGINNING**; thence from said **TRUE POINT OF BEGINNING**, continuing along said south line of Parcel One, South 89°23'57" West, a

distance of 155.87 feet; thence leaving said south line, through said Parcel One the following four (4) arcs, courses and distances:

- 1) along a tangent curve concave to the north, having a radius of 194.00 feet, westerly 40.84 feet along said curve through a central angle of 12°03'40";
- 2) along a reverse curve concave to the south, having a radius of 259.00 feet, westerly 54.52 feet along said curve through a central angle of 12°03'40";
- 3) South 89°23'57" West, a distance of 94.89 feet;
- 4) along a tangent curve concave to the north, having a radius of 25.00 feet, westerly 7.57 feet along said curve through a central angle of 17°20'16" to the westerly line of said Parcel One;

Thence along said westerly line, from a radial line which bears South 55°42'52" West, along a non-tangent curve concave to the east, having a radius of 25.00 feet, northerly 14.70 feet along said curve through a central angle of 33°40'38" to the northwesterly corner of said Parcel One; thence along the north line of said Parcel One, North 89°23'57" East, a distance of 357.07 feet; thence leaving said north line, through said Parcel One, South 00°36'03" East, a distance of 25.00 feet to the **TRUE POINT OF BEGINNING**.

Containing 7,339 square feet, more or less.

See Exhibit 'B-2', Plat to accompany description, attached hereto and made a part hereof.

The Basis of Bearings for this description is identical to said Final Map of "Elliott Springs Unit 1."

February 27, 2023

END OF DESCRIPTION

Andrew P. Tapley, PLS 9554



PREPARED BY WOOD RODGERS, INC
SACRAMENTO, CALIFORNIA

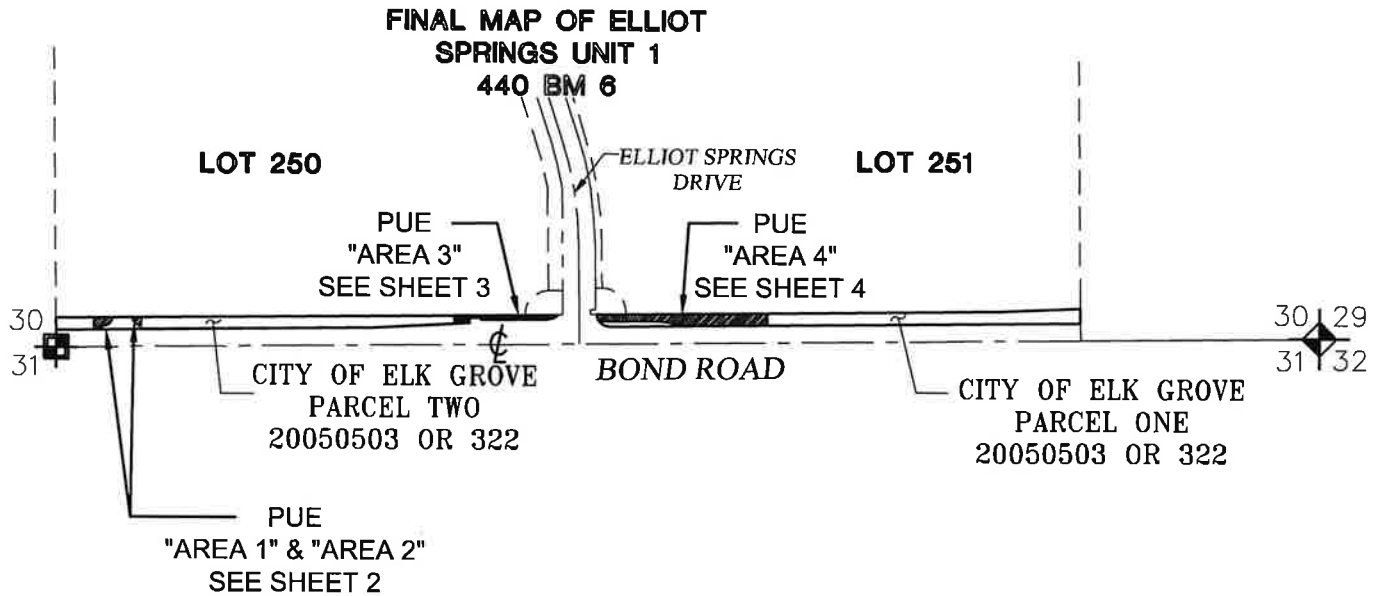
EXHIBIT 'B-2'

PLAT TO ACCOMPANY
DESCRIPTION

ELLIOTT SPRINGS
PUBLIC UTILITY EASEMENTS
CITY OF ELK GROVE
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

REFERENCES:

- (1) 440 BM 6 - FINAL MAP OF ELLIOTT SPRINGS UNIT 1



LEGEND:

- SOUTHEAST CORNER OF SECTION 30 PER (1)
- SOUTH 1/4 CORNER OF SECTION 30 PER (1)
- BM BOOK OF MAPS
- OR OFFICIAL RECORDS
- POC POINT OF COMMENCEMENT
- PUE PUBLIC UTILITY EASEMENT
- TPOB TRUE POINT OF BEGINNING



- ADJACENT LOT LINE
- BOUNDARY LINE
- CENTERLINE



SCALE: 1" = 400'

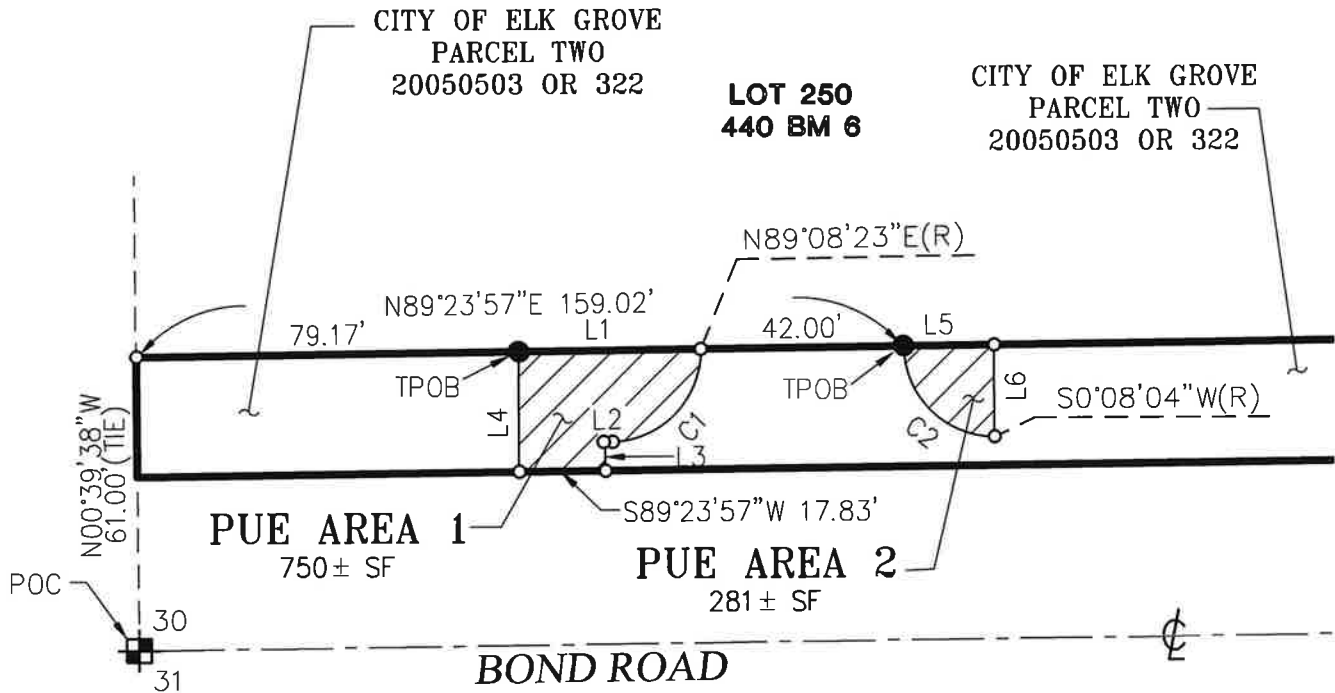


WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
3741 DOUGLAS BLVD, STE 150 TEL 916.341.7760
ROSEVILLE, CA 95661 FAX 916.341.7767

EXHIBIT 'B-2'

PLAT TO ACCOMPANY
DESCRIPTION

ELLIOTT SPRINGS
PUBLIC UTILITY EASEMENTS
CITY OF ELK GROVE
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

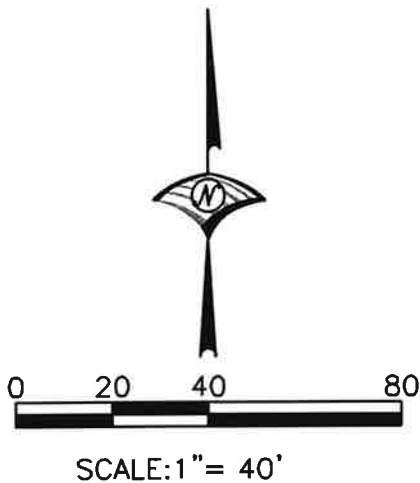


CURVE TABLE – THIS SHEET ONLY

NO.	RADIUS	DELTA	LENGTH
C1	19.00'	90°07'45"	29.89'
C2	19.00'	89°38'14"	29.72'

LINE TABLE – THIS SHEET ONLY

NO.	BEARING	LENGTH
L1	N89°23'57"E	37.85'
L2	S89°16'11"W	1.06'
L3	S0°33'21"E	5.91'
L4	N0°36'03"W	25.00'
L5	N89°23'57"E	18.76'
L6	S0°36'03"E	19.12'

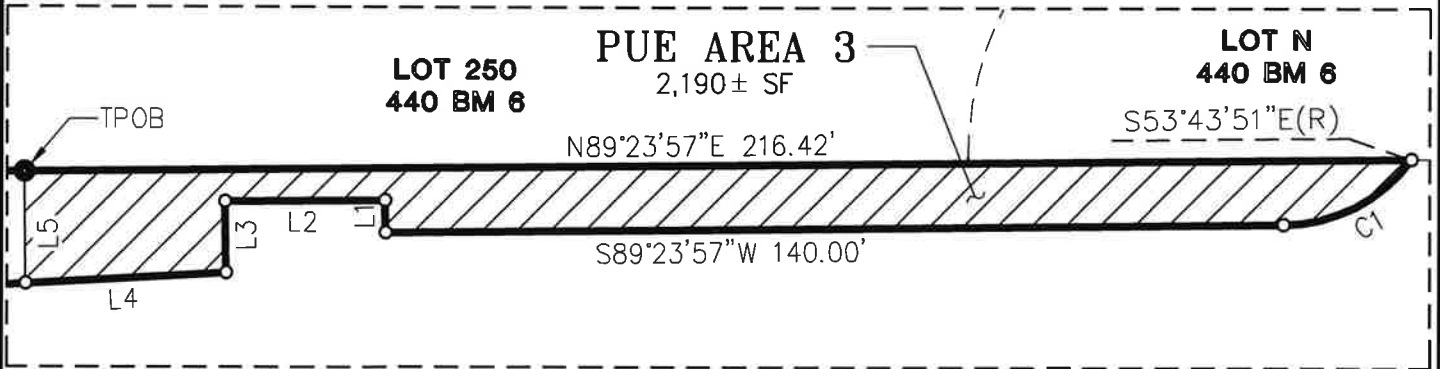


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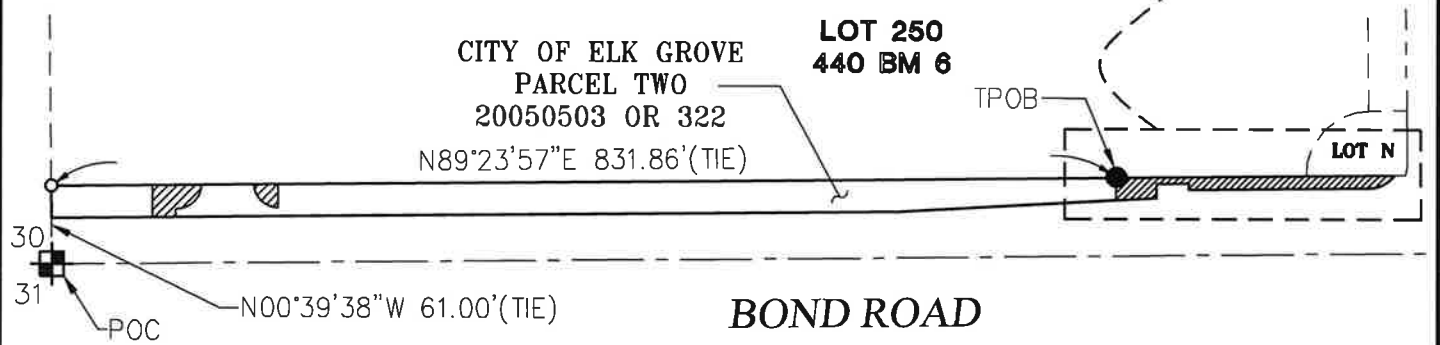
EXHIBIT 'B-2'

PLAT TO ACCOMPANY
DESCRIPTION

ELLIOTT SPRINGS
PUBLIC UTILITY EASEMENTS
CITY OF ELK GROVE
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

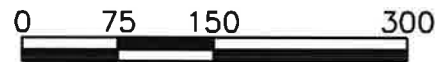


DETAIL 'A' - SCALE: 1" = 30'



CURVE TABLE - THIS SHEET ONLY			
NO.	RADIUS	DELTA	LENGTH
C1	25.00'	53°08'16"	23.19'

LINE TABLE - THIS SHEET ONLY		
NO.	BEARING	LENGTH
L1	N0°36'03"W	5.00'
L2	S89°23'57"W	25.00'
L3	S0°36'03"E	11.00'
L4	S86°49'21"W	31.45'
L5	N0°36'03"W	17.41'



SCALE: 1" = 150'

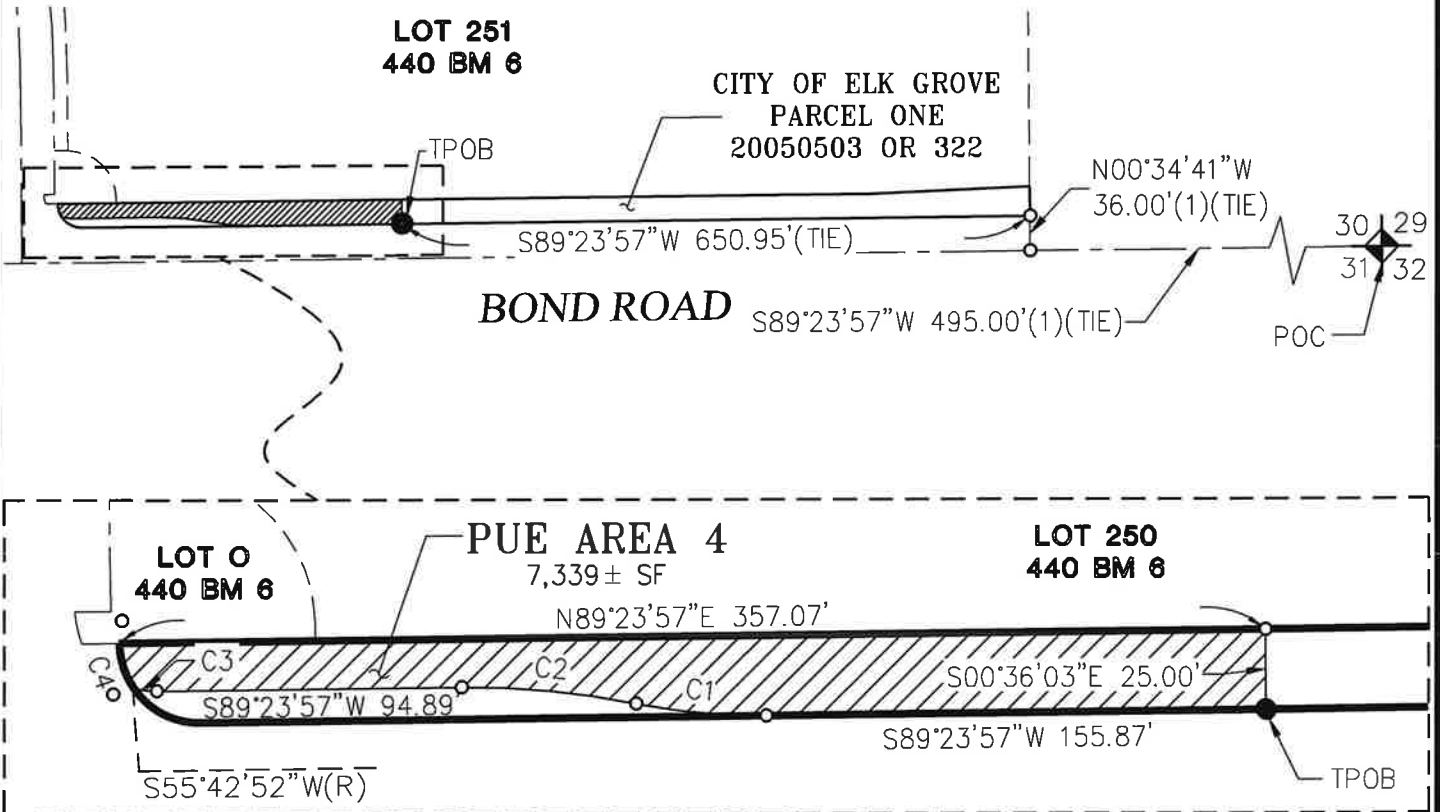


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BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
3741 DOUGLAS BLVD, STE 150 TEL 916.341.7760
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EXHIBIT 'B-2'

PLAT TO ACCOMPANY
DESCRIPTION

ELLIOTT SPRINGS
PUBLIC UTILITY EASEMENTS
CITY OF ELK GROVE
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA



DETAIL 'A' - SCALE: 1" = 60'



SCALE: 1" = 200'

CURVE TABLE - THIS SHEET ONLY			
NO.	RADIUS	DELTA	LENGTH
C1	194.00'	12°03'40"	40.84'
C2	259.00'	12°03'40"	54.52'
C3	25.00'	17°20'16"	7.57'
C4	25.00'	33°40'38"	14.70'



WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
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**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2023-050**

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 March 8, 2023 by the following vote:

AYES: COUNCILMEMBERS: Singh-Allen, Spease, Brewer, Robles, Suen

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None


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