



**NO FEE DOCUMENT**

Government Code Section 6103

Sacramento County Recording  
Mark Norris, Clerk/Recorder  
BOOK **20041209** PAGE **1072**

Thursday, DEC 09, 2004 12:55:06 PM  
Ttl Pd \$0.00 Nbr-0003248546

SJS/57/1-3

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. 2004-283**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE TO  
RELEASE THE RIGHT TO RESTRICT THE ERECTION OF BUILDINGS OR OTHER  
STRUCTURES ON LOTS 119 THROUGH 123, AND LOTS I, J, K AND L AS SHOWN  
ON THE MAP OF SUBDIVISION NO. 02-285.1 BILBY RANCH UNIT 1**

**WHEREAS**, the City received a Petition to Release from owners of property within the City of Elk Grove requesting the City Council of the City of Elk Grove to consider the release of the Right to Restrict the Erection of Buildings or other Structures on the subject property; and

**WHEREAS**, the City Council of the City of Elk Grove hereby declares its intention to release the "Right to Restrict the Erection of Buildings or other Structures" on Lots 119 through 123, and Lots I, J, K, and L as said building restriction was created by the Map of Subdivision No. 02-285.1 Bilby Ranch Unit 1, as filed in Book 331 of Maps at Page 5, Official Records of Sacramento, California on Assessor's Parcel No's. 132-0030-031 & 032, and 132-1680-019 through 023, specifically shown on the attached Exhibits; and

**WHEREAS**, the City of Elk Grove Planning Department has reviewed this project and is recommending the City Council of the City of Elk Grove find the release of the building restriction 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 release 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 said release 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 building restriction is not necessary because all utilities have been removed from old Bilby Road and new roadway improvements have been constructed to the satisfaction of the City Engineer; and
- c. That the public interest will be served by the herein release.

**BE IT FURTHER RESOLVED AND ORDERED** that the Right to Restrict Erection of Buildings or other Structures on Lots 119 through 123, and Lots I, J, K and L as shown on the Map of Subdivision No. 02-285.1 Bilby Ranch Unit 1 which was filed in Book 331 of Maps at Page 5, Official Records of Sacramento County, California is hereby released.

**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 Release, 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 1<sup>st</sup> day of December 2004.




  
SOPHIA SCHERMAN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

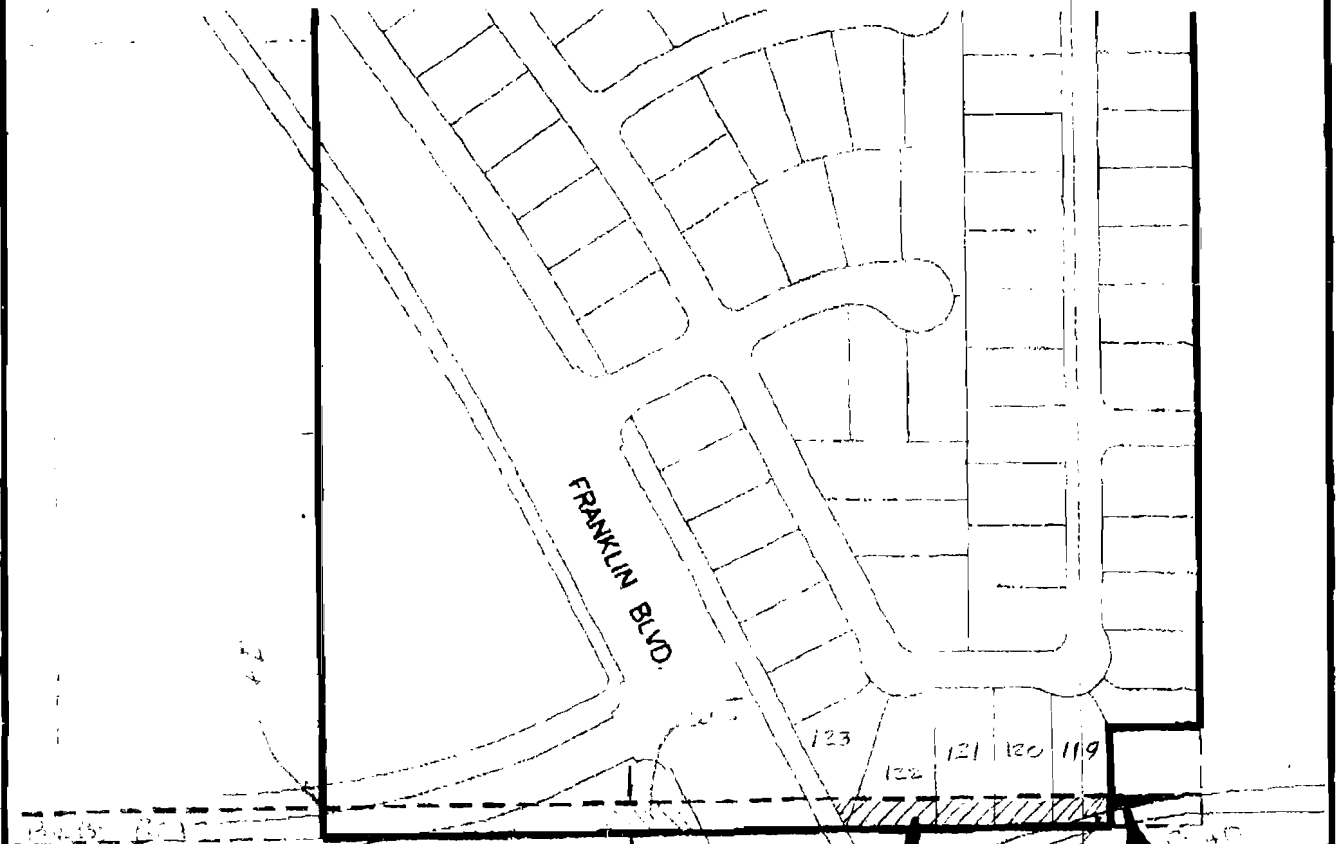
  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

  
ANTHONY B. MANZANETTI,  
CITY ATTORNEY

# EXHIBIT A-PLAT

**BILBY RANCH UNIT 1**  
**BILBY ROAD ~~RETRACTED~~ RELEASE**  
**OF RESTRICTED BUILDING RIGHTS**  
 COUNTY OF SACRAMENTO STATE OF CALIFORNIA



35' RIGHT-OF-WAY  
 ABANDONED  
 BY THE MAP OF  
 BILBY RANCH UNIT 1  
 (321 BMS)

**LANDS OF WOODSIDE  
 BILBY RANCH, INC.**

*Lands of,  
 Rosmarie Hooper*



**WOOD RODGERS**  
 ENGINEERING • MAPPING • PLANNING • SURVEYING  
 3301 C St., Bldg. 100-B Tel 916.341.7700  
 Sacramento, CA 95818 Fax 916.341.7787

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2004-283**

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

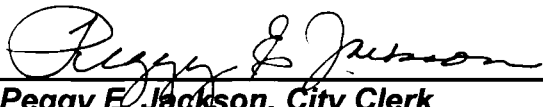
***I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 1<sup>st</sup> day of December 2004 by the following 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**