



Sacramento County Recorder  
Frederick B. Garcia, Clerk/Recorder  
BOOK **20090623** PAGE **2041**

Tuesday, JUN 23, 2009 3:08:46 PM  
Ttl Pd \$0.00 Nbr-0005938077

REB/51/1-9

**NO FEE DOCUMENT**

Government Code Section 27383

RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

City Clerk  
City of Elk Grove  
8380 Laguna Palms Way #200  
Elk Grove, CA 95758

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**Resolution No. 2009-114**

**RESOLUTION NO. 2009-114**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
ABANDONING A PORTION OF EAST STOCKTON BOULEVARD  
AND AN ADJACENT PUBLIC UTILITY EASEMENT WITHIN  
THE SHELDON 99 INTERCHANGE PROJECT**

**WHEREAS**, the City of Elk Grove had approved the construction of the Sheldon/State Route 99 Interchange Project (Project) on November 14, 2007 by Resolution No. 2007-248; and

**WHEREAS**, the Project was for the construction of a newly configured interchange which includes realignment of a portion of East Stockton Boulevard; and

**WHEREAS**, the Project is still under construction; however, construction of the newly aligned East Stockton Boulevard is now complete and East Stockton Boulevard is open for public travel.

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

- 1) That abandonment of a portion of East Stockton Boulevard is excess right of way not needed for street or highway purposes due to the realignment and is consistent with the General Plan; and
- 2) That abandonment of the Public Utility Easement adjacent to East Stockton Boulevard being abandoned is no longer needed due to the realignment and is consistent with the General Plan; and
- 3) The proposed abandonment is the result of an alignment project and as such is exempt from Planning Commission review pursuant to City Council Resolution No. 2006-224, which was adopted by the City Council in accordance with Government Code Section 65402(a); and
- 4) That the abandonment of the East Stockton Boulevard right-of-way is being made under the Streets and Highway Code, Division 9, Part 3, Chapter 4, Summary Vacation, Section 8330 (a) in that the old alignment of East Stockton Boulevard has been superseded by relocation; and
- 5) That the abandonment of the Public Utility Easements adjacent to the portion of East Stockton Boulevard right-of-way to be abandoned is being made under the Streets and Highway Code, Division 9, Part 3, Chapter 4, Summary Vacation, Section 8333 (c) in that the old alignment of East Stockton Boulevard has been superseded by relocation; and
- 6) That the proposed abandonment is associated with the Sheldon Road/State Route 99 interchange project ("Project") for which the City Council certified

an Environmental Impact Report (EIR) on July 27, 2005, and this EIR analyzed the environmental effects of the Project, including the realignment of East Stockton Boulevard; and

- 7) That the proposed abandonment will not create any adverse environmental impacts beyond those previously analyzed and disclosed in the Sheldon Road/State Route 99 Interchange EIR; therefore, no further environmental review is required; and
- 8) That the street being abandoned is a portion of East Stockton Boulevard and is described in Exhibit "A" and shown on Plat map Exhibit "A-1" both of which are incorporated herein by this reference; and
- 9) That easement being abandoned is described in Exhibit "B" and shown on Plat Map Exhibit "B-1" both of which are incorporated herein by this reference; and
- 10) Pursuant to Section 8340 and 8341 of The Streets and Highway Code an easement for public utility purposes as described in Exhibit "A" attached hereto is being reserved from the abandonment herein.

**NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED** that the portion of the East Stockton Boulevard as described in Exhibit "A" and shown on Plat Map Exhibit "A-1" and the adjacent Public Utility Easement as described in Exhibit "B" and shown on Plat Map Exhibit "B-1" are **hereby abandoned** and that from and after the date of the recordation of this resolution the street abandoned no longer constitutes a street; that said easement is **hereby abandoned**; and that an easement for Public Utilities is **hereby reserved** from abandonment as described in Exhibit "A" for the stated purposes therein.

**NOW, THEREFORE, BE IT FINALLY RESOLVED** that the City Clerk of the City of Elk Grove shall cause a certified copy of this Resolution of Abandonment and Exhibits "A" and "B" attached hereto attested 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 on this 10<sup>th</sup> day of June 2009.



PATRICK HUME, MAYOR of the  
CITY OF ELK GROVE

ATTEST:



SUSAN J. BLACKSTON, CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

## EXHIBIT "A"

### Abandonment of a portion of East Stockton Boulevard

THAT PORTION OF EAST STOCKTON BOULEVARD IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, AS SHOWN ON THE MAP OF "SHELDON PACIFIC, UNIT NO. 2, FILED IN BOOK 266 OF MAPS AT PAGE 5, RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**Commencing** at the Northeast corner of Lot 1 per Book 15 of Maps at Page 13, records of said County, also lying on the Centerline of Sheldon Road; thence along the North line of said Lot 1 South 89°45'30" West 137.98 feet or 42.056 meters to the northerly prolongation of the East line of Lot "A" per Book 266 of Maps at Page 5, records of said County; thence along said prolongation South 00°08'28" East 71.70 feet or 21.854 meters to the easterly right of way of East Stockton Boulevard per Book 266 of Maps at Page 5, records of said County; thence along said easterly right of way along the arc of a curve to the left having a radius of 25.00 feet or 7.620 meters, from a radial which bears South 51°53'29" East, with a chord bearing South 18°31'06" West 16.76 feet or 5.108 meters; thence South 00°03'34" West 2.40 feet or 0.732 meters to the **Point of Beginning**; thence along said easterly right of way of line South 00°03'34" West 171.61 feet or 52.307 meters; thence along a curve to the right having a radius of 1200.00 feet or 365.761 meters, from a radial which bears South 89°21'55" West, with a chord bearing South 03°45'00" West 183.49 feet or 55.928 meters; thence leaving said easterly right of way line, along the arc of a curve to the right having a radius of 474.11 feet or 144.509 meters, from a radial which bears North 62°55'42" West, with a chord bearing South 35°16'50" West 135.39 feet or 41.267 meters; thence South 43°29'22" West 140.82 feet or 42.922 meters to the westerly right of way of said East Stockton Boulevard; thence along said westerly right of way line along the arc of a curve to the left having a radius of 458.04 feet or 139.611 meters, from a radial which bears North 52°24'55" West, with a chord bearing North 23°37'49" East 220.91 feet or 67.334 meters; thence North 00°40'32" West 200.08 feet or 60.985 meters; thence North 00°03'34" East 158.14 feet or 48.201 meters; thence along the arc of a curve to the right having a radius of 11741.80 feet or 3578.908 meters, from a radial which bears South 04°06'05" East, with a chord bearing North 86°08'43" East 101.17 feet or 30.837 meters to the **Point of Beginning**.

Containing 43,138.04 square feet or 0.9903 acres; or 4007.655 square meters or 0.4008 hectares, more or less.

**Reserving there from** the above described parcel an easement for Public Utility Purposes (P.U.E.) with the right at any time, or from time to time, to construct, maintain, operate, replace, remove, and renew sanitary sewers and storm drains and appurtenant structures together with the right to construct, maintain, operate, replace, remove, renew, and enlarge lines of pipe, conduits, cables, wires, poles, and other convenient structures, equipment, and fixtures for the operation of gas pipelines, telegraphic and telephone lines, and for the transportation of distribution of electric energy, petroleum and its products, ammonia, and water, and for incidental purposes, including access in, upon, and over and across the above parcel described as follows:

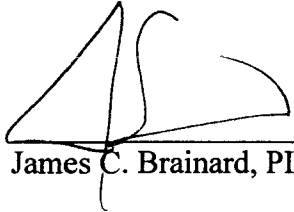
A strip of land being 12.5 feet in width, the Southeasterly line of which is the Southeasterly line of the above described parcel, as shown on attached Exhibit "A-1" as "12.5' RESERVATION FOR PUBLIC UTILITY EASEMENT".

**See Exhibit "A1" attached hereto and made a part hereof.**

The meridian used herein is based upon the California Coordinate System (CCS) Zone II, NAD83, 1991.35. The ground distances used herein are in U.S. Survey Feet and Meters. To obtain grid distances, multiply the ground distances shown herein by the combined factor of 0.99997792.

This real property description has been prepared at R.E.Y. Engineers, Inc., by me or under my direction, in conformance with the Professional Land Surveyors Act.

APN: 116-0030-052

  
James C. Brainard, PLS 7051



12/05/08  
Date

# Sheldon Road

S00°03'34"W  
2.40' (0.732M)

S89°45'30"W  
137.98' (42.056M) POC

Ch=N86°08'43"E  
101.17' (30.837M)  
R=11741.80' (3578.908M)

S00°08'28"E  
71.70' (21.854M)

Ch=S18°31'06"W  
16.76' (5.108M)  
R=25.00' (7.620M)

S04°06'05"E (R)

05-08-35  
Abandoned

N00°03'34"E  
158.14' (48.201M)  
12.5' P.U.E.  
(TO BE ABANDONED)

East Stockton Blvd.

N00°40'32"W  
200.08' (60.985M)

APN 116-0030-003

Ch=N23°37'49"E  
220.91' (67.334M)  
R=458.04' (139.611M)  
10' Sewer Esmt.

S51°53'29"E (R)

S00°03'34"W  
171.61' (52.307M)

S89°21'55"W (R)

PORTION OF  
LOT A PER 266 BM 5

Ch=S03°45'00"W  
183.49' (55.928M)  
R=1200.00' (365.761M)

N62°55'42"W (R)

S35°16'50"W  
135.39' (41.267M)  
R=474.11' (144.509M)

12.5' RESERVATION FOR PUBLIC  
UTILITY EASEMENT (P.U.E.)

BOOK 266  
PAGE 5

Lot 128

APN 116-0030-052

Family Real Property Ltd.

N52°24'55"W (R)

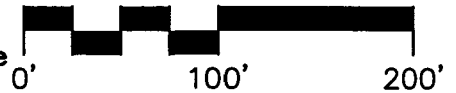
12.5' P.U.E.

S43°29'22"W  
140.82' (42.922M)

(R) = Radial  
POB = Point of Beginning  
POC = Point of Commencement



GRAPHIC SCALE



The meridian shown hereon is based upon the California Coordinate System, Zone 2 (NAD83, 1991.35). To obtain grid distances, multiply the ground distances shown hereon by the combined factor of 0.99997792.

IN THE CITY OF ELK GROVE  
SACRAMENTO COUNTY, CALIFORNIA  
CITY PARCEL 05-08-35

3222 Howe Oaks Sacramento CA 95827  
F 916 265-2040 Fax 916 265-2023  
R.E.Y. ENGINEERS, Inc.  
Civil Engineers / Land Surveyors



Scale 1"=100'  
Date 12-05-08  
Drawn By JW  
Checked By JB

PLAT MAP - EXHIBIT A1 - SHEET 1 OF 1  
Total Excess parcels to be abandoned of 43,138.04+/- sq.ft.  
0.9903+/- acres or 0.4008+/- hectares  
APN 116-0030-052



**EXHIBIT "B"**

**Abandonment of a portion of Public Utility Easement adjacent to East Stockton Boulevard**

THAT PORTION LOT 128, AS SHOWN ON THE MAP OF "SHELDON PACIFIC, UNIT NO. 2, FILED IN BOOK 266 OF MAPS AT PAGE 5, IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**Commencing** at the Northeast corner of Lot 1 per Book 15 of Maps at Page 13, records of said County, also lying on the Centerline of Sheldon Road; thence along the North line of said Lot 1 South 89°45'30" West 137.98 feet or 42.056 meters to the northerly prolongation of the East line of Lot "A" per Book 266 of Maps at Page 5, records of said County; thence along said prolongation South 00°08'28" East 71.70 feet or 21.854 meters to the easterly right of way of East Stockton Boulevard per Book 266 of Maps at Page 5, records of said County; thence along said easterly right of way along the arc of a curve to the left having a radius of 25.00 feet or 7.620 meters, from a radial which bears South 51°53'29" East, with a chord bearing South 18°31'06" West 16.76 feet or 5.108 meters; thence South 00°03'34" West 2.40 feet or 0.732 meters; thence along the arc of a curve to the left having a radius of 11741.80 feet or 3578.908 meters, from a radial which bears South 03°36'28" East, with a chord bearing South 86°08'43" West 101.17 feet or 30.837 meters to the westerly right of way of East Stockton Boulevard per Book 266 of Maps at Page 5, records of said County, and the **Point of Beginning**; thence along said Westerly right of way of East Stockton Boulevard South 00°03'34" West 158.14 feet or 48.201 meters; thence South 00°40'32" West 200.08 feet or 60.985 meters; thence along a curve to the right having a radius of 458.04 feet or 139.611 meters, from a radial which bears North 80°19'26" West, having a chord bearing South 19°14'53" West 152.33 feet or 46.430 meters; thence leaving said westerly right of way of East Stockton Boulevard South 43°29'22" West 69.52 feet or 21.190 meters to the curved northwesterly line of the Public Utility Easement adjacent to East Stockton Boulevard as on said Sheldon Pacific Unit No. 2; thence along said northwesterly line along the arc of a curve to the left with a radius of 454.54 feet or 138.544 meters, from a radial which bears North 52°29'51" West, having a chord which bears North 23°39'42" East 213.17 feet or 64.974 meters; thence North 00°40'32" West 199.02 feet or 60.661 meters; thence North 00°03'34" East 157.31 feet or 47.948 meters to the South right of way of Sheldon Road as described in that Final Order of Condemnation Recorded in Book 20081106 at Page 866, Official Records of said County; thence along said South right of way along the arc of a curve to the right with a radius of 11741.80 feet or 3578.908 meters, from a radial which bears South 04°09'45" East, having a chord bearing of North 85°52'05" East 12.53 feet or 3.819 meters to the **Point of Beginning**.

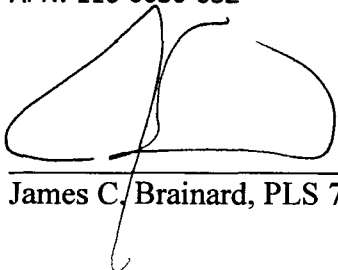
Containing 6,708.74 square feet or 0.1540 acres; or 623.262 square meters or 0.0623 hectares, more or less.

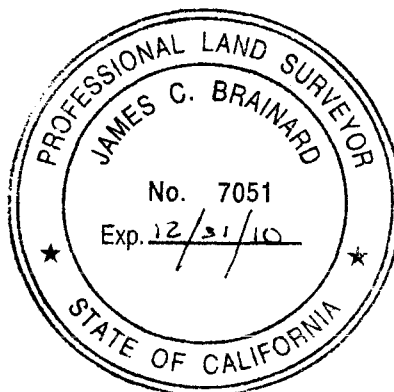
**See Exhibit "B1" attached hereto and made a part hereof.**

The meridian used herein is based upon the California Coordinate System (CCS) Zone II, NAD83, 1991.35. The ground distances used herein are in U.S. Survey Feet and Meters. To obtain grid distances, multiply the ground distances shown herein by the combined factor of 0.99997792.

This real property description has been prepared at R.E.Y. Engineers, Inc., by me or under my direction, in conformance with the Professional Land Surveyors Act.

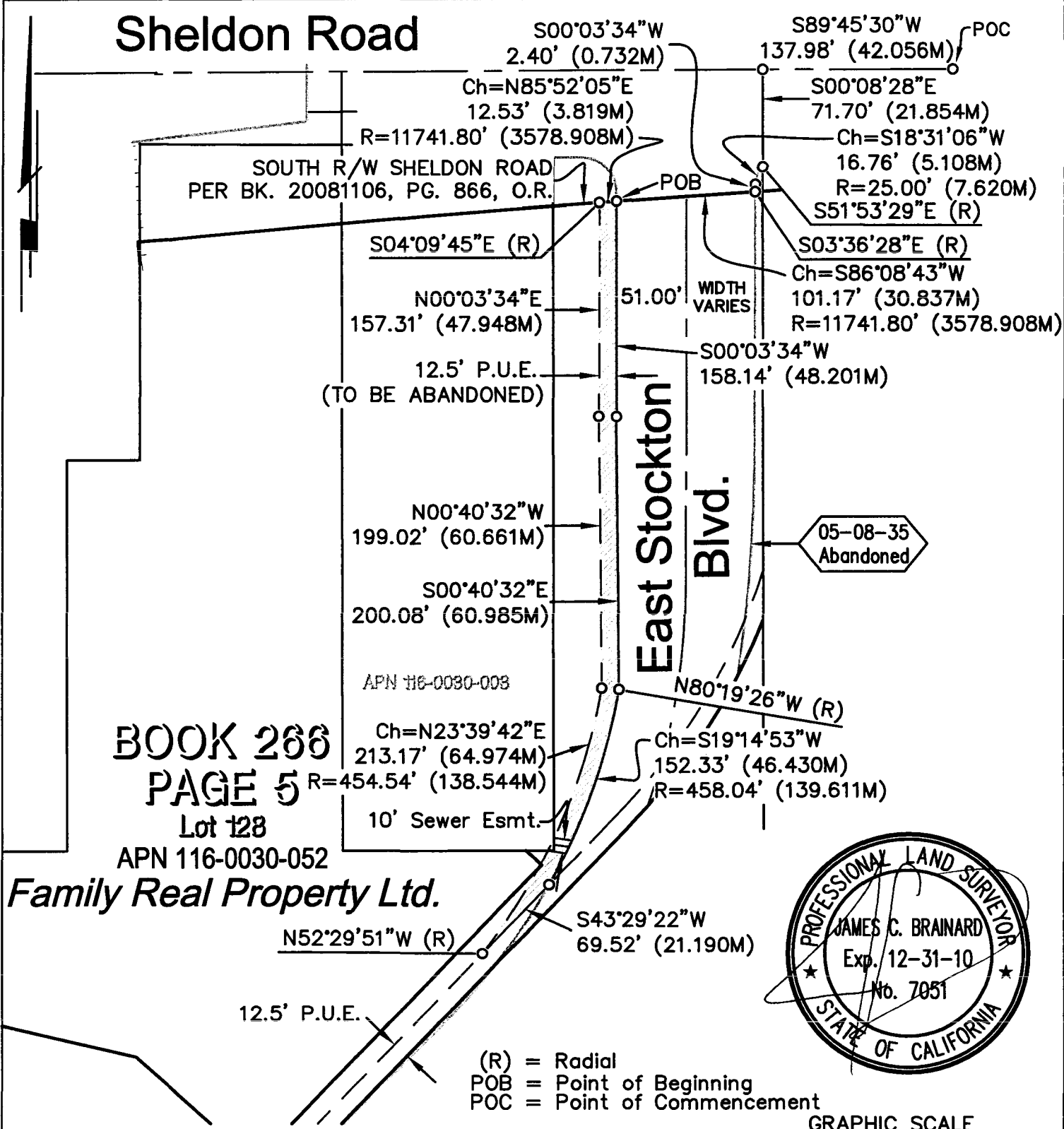
APN: 116-0030-052

  
James C. Brainard, PLS 7051



12/5/08  
Date

# Sheldon Road



SOUTH R/W SHELDON ROAD  
PER BK. 20081106, PG. 866, O.R.

12.5' P.U.E.  
(TO BE ABANDONED)

**BOOK 266**  
**PAGE 5**

Lot 128

APN 116-0030-052

**Family Real Property Ltd.**

05-08-35  
Abandoned



(R) = Radial  
POB = Point of Beginning  
POC = Point of Commencement

GRAPHIC SCALE



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3221 River Oaks Sacramento CA 95827  
916 266-3300 Fax 916 266-3328  
**REY ENGINEERS, Inc.**  
Civil Engineers / Land Surveyors

IN THE CITY OF ELK GROVE  
SACRAMENTO COUNTY, CALIFORNIA  
CITY PARCEL 05-08-35



Scale 1"=100'  
Date 12-05-08  
Drawn By JW  
Checked By JB

PLAT MAP - EXHIBIT B1 - SHEET 1 OF 1  
Total P.U.E. parcels to be abandoned of 6,708.74+/- sq.ft.  
0.1540+/- acres or 0.0623+/- hectares  
APN 116-0030-052



**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2009-114**

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

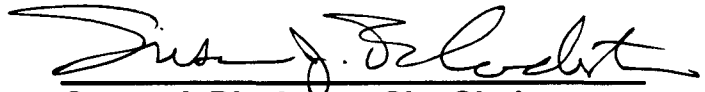
***I, Susan J. Blackston, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on June 10, 2009 by the following vote:***

**AYES :            COUNCILMEMBERS:     *Hume, Scherman, Cooper, Davis, Detrick***

**NOES:            COUNCILMEMBERS:     *None***

**ABSTAIN :        COUNCILMEMBERS:     *None***

**ABSENT:         COUNCILMEMBERS:     *None***

  
**Susan J. Blackston, City Clerk**  
**City of Elk Grove, California**

**EXHIBIT "A"**

**Abandonment of a portion of East Stockton Boulevard**

THAT PORTION OF EAST STOCKTON BOULEVARD IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, AS SHOWN ON THE MAP OF "SHELDON PACIFIC, UNIT NO. 2, FILED IN BOOK 266 OF MAPS AT PAGE 5, RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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Containing 43,138.04 square feet or 0.9903 acres; or 4007.655 square meters or 0.4908 hectares, more or less.

**Reserving there from** the above described parcel an easement for Public Utility Purposes (P.U.E.) with the right at any time, or from time to time, to construct, maintain, operate, replace, remove, and renew sanitary sewers and storm drains and appurtenant structures together with the right to construct, maintain, operate, replace, remove, renew, and enlarge lines of pipe, conduits, cables, wires, poles, and other convenient structures, equipment, and fixtures for the operation of gas pipelines, telegraphic and telephone lines, and for the transportation of distribution of electric energy, petroleum and its products, ammonia, and water, and for incidental purposes, including access in, upon, and over and across the above parcel described as follows:

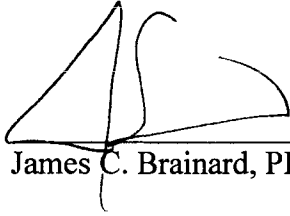
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This real property description has been prepared at R.E.Y. Engineers, Inc., by me or under my direction, in conformance with the Professional Land Surveyors Act.

APN: 116-0030-052

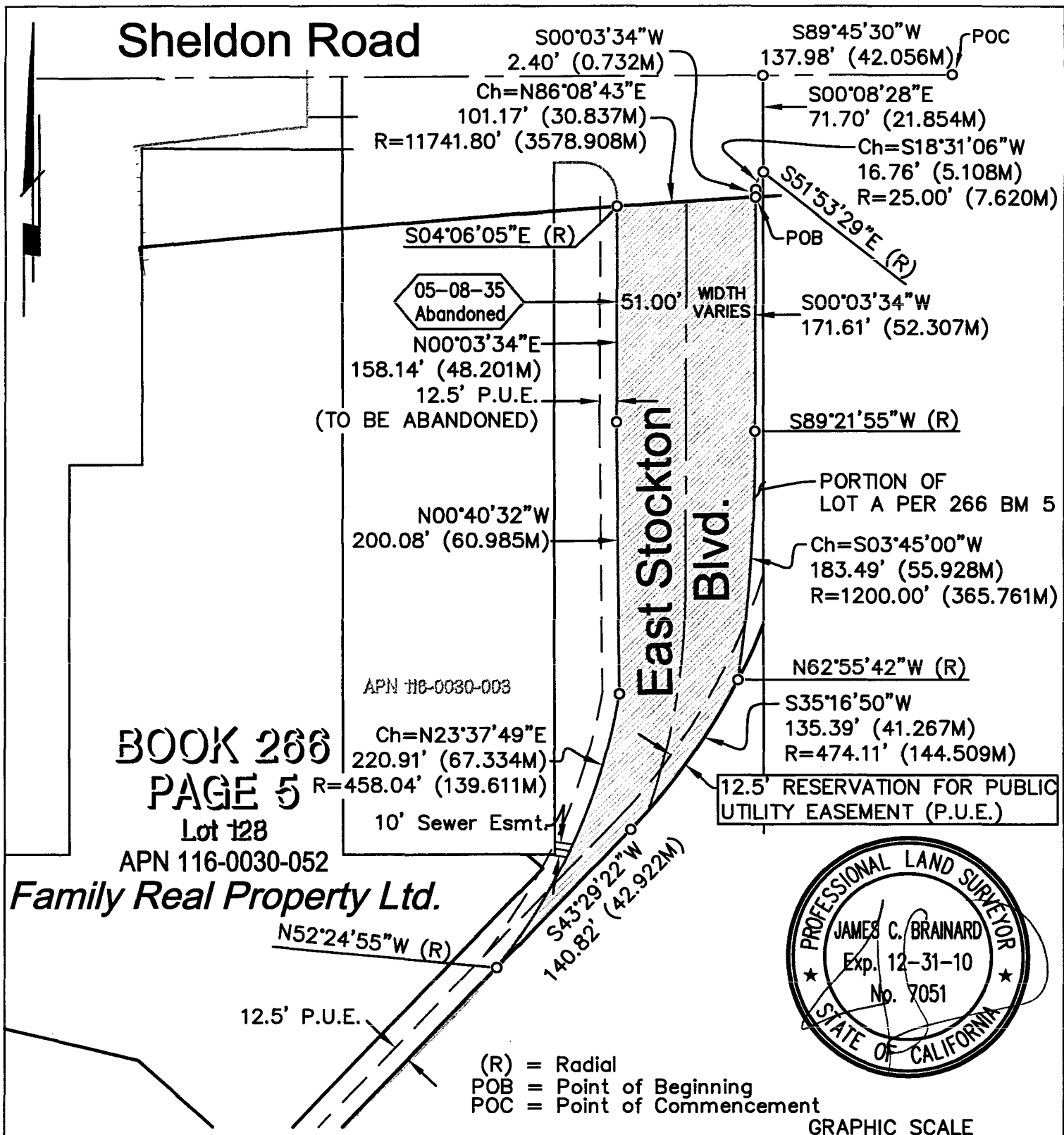


James C. Brainard, PLS 7051



12/05/08  
Date

# Sheldon Road



**BOOK 266**  
**PAGE 5**

Lot 128

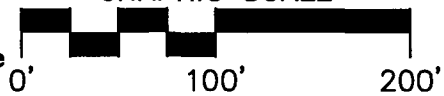
APN 116-0030-052

**Family Real Property Ltd.**



(R) = Radial  
POB = Point of Beginning  
POC = Point of Commencement

GRAPHIC SCALE



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2222 River Oaks Sacramento CA 95827  
916 265-3040 Fax 916 265-3039  
**R.E.Y. ENGINEERS, Inc.**  
Civil Engineers / Land Surveyors

IN THE CITY OF ELK GROVE  
SACRAMENTO COUNTY, CALIFORNIA  
CITY PARCEL 05-08-35



Scale 1"=100'  
Date 12-05-08  
Drawn By JW  
Checked By JB

PLAT MAP - EXHIBIT A1 - SHEET 1 OF 1  
Total Excess parcels to be abandoned of 43,138.04+/- sq.ft.  
0.9903+/- acres or 0.4008+/- hectares  
APN 116-0030-052

**EXHIBIT "B"**

**Abandonment of a portion of Public Utility Easement adjacent to East Stockton Boulevard**

THAT PORTION LOT 128, AS SHOWN ON THE MAP OF "SHELDON PACIFIC, UNIT NO. 2, FILED IN BOOK 266 OF MAPS AT PAGE 5, IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**Commencing** at the Northeast corner of Lot 1 per Book 15 of Maps at Page 13, records of said County, also lying on the Centerline of Sheldon Road; thence along the North line of said Lot 1 South 89°45'30" West 137.98 feet or 42.056 meters to the northerly prolongation of the East line of Lot "A" per Book 266 of Maps at Page 5, records of said County; thence along said prolongation South 00°08'28" East 71.70 feet or 21.854 meters to the easterly right of way of East Stockton Boulevard per Book 266 of Maps at Page 5, records of said County; thence along said easterly right of way along the arc of a curve to the left having a radius of 25.00 feet or 7.620 meters, from a radial which bears South 51°53'29" East, with a chord bearing South 18°31'06" West 16.76 feet or 5.108 meters; thence South 00°03'34" West 2.40 feet or 0.732 meters; thence along the arc of a curve to the left having a radius of 11741.80 feet or 3578.908 meters, from a radial which bears South 03°36'28" East, with a chord bearing South 86°08'43" West 101.17 feet or 30.837 meters to the westerly right of way of East Stockton Boulevard per Book 266 of Maps at Page 5, records of said County, and the **Point of Beginning**; thence along said Westerly right of way of East Stockton Boulevard South 00°03'34" West 158.14 feet or 48.201 meters; thence South 00°40'32" West 200.08 feet or 60.985 meters; thence along a curve to the right having a radius of 458.04 feet or 139.611 meters, from a radial which bears North 80°19'26" West, having a chord bearing South 19°14'53" West 152.33 feet or 46.430 meters; thence leaving said westerly right of way of East Stockton Boulevard South 43°29'22" West 69.52 feet or 21.190 meters to the curved northwesterly line of the Public Utility Easement adjacent to East Stockton Boulevard as on said Sheldon Pacific Unit No. 2; thence along said northwesterly line along the arc of a curve to the left with a radius of 454.54 feet or 138.544 meters, from a radial which bears North 52°29'51" West, having a chord which bears North 23°39'42" East 213.17 feet or 64.974 meters; thence North 00°40'32" West 199.02 feet or 60.661 meters; thence North 00°03'34" East 157.31 feet or 47.948 meters to the South right of way of Sheldon Road as described in that Final Order of Condemnation Recorded in Book 20081106 at Page 866, Official Records of said County; thence along said South right of way along the arc of a curve to the right with a radius of 11741.80 feet or 3578.908 meters, from a radial which bears South 04°09'45" East, having a chord bearing of North 85°52'05" East 12.53 feet or 3.819 meters to the **Point of Beginning**.

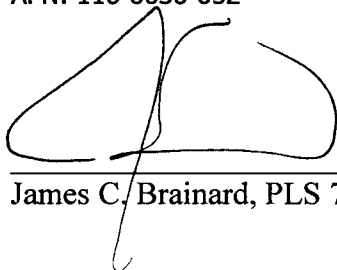
Containing 6,708.74 square feet or 0.1540 acres; or 623.262 square meters or 0.0623 hectares, more or less.

**See Exhibit "B1" attached hereto and made a part hereof.**

The meridian used herein is based upon the California Coordinate System (CCS) Zone II, NAD83, 1991.35. The ground distances used herein are in U.S. Survey Feet and Meters. To obtain grid distances, multiply the ground distances shown herein by the combined factor of 0.99997792.

This real property description has been prepared at R.E.Y. Engineers, Inc., by me or under my direction, in conformance with the Professional Land Surveyors Act.

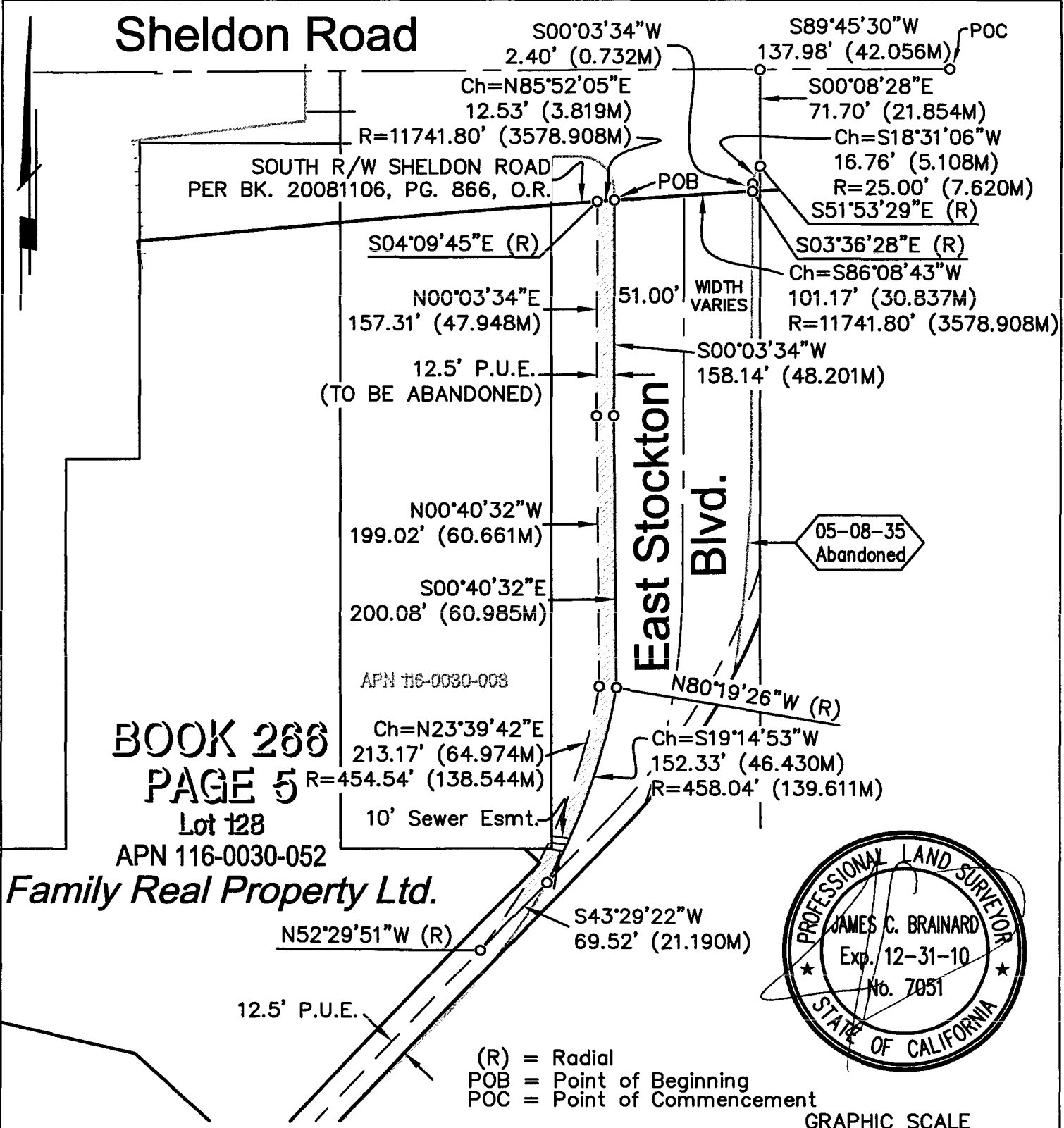
APN: 116-0030-052

  
James C. Brainard, PLS 7051



12/5/08  
Date

# Sheldon Road

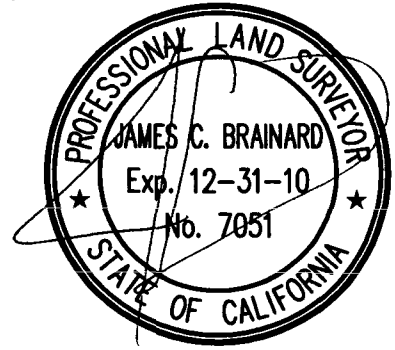


**BOOK 266**  
**PAGE 5**

Lot 128

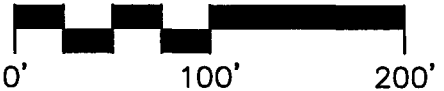
APN 116-0030-052

**Family Real Property Ltd.**



(R) = Radial  
 POB = Point of Beginning  
 POC = Point of Commencement

GRAPHIC SCALE



The meridian shown hereon is based upon the California Coordinate System, Zone 2 (NAD83, 1991.35). To obtain grid distances, multiply the ground distances shown hereon by the combined factor of 0.99997792.

3222 River Oaks Sacramento CA 95827  
 (916) 266-3000 Fax (916) 266-3023  
**R.E.Y. ENGINEERS, Inc.**  
 Civil Engineers / Land Surveyors

IN THE CITY OF ELK GROVE  
 SACRAMENTO COUNTY, CALIFORNIA  
 CITY PARCEL 05-08-35



Scale 1"=100'  
 Date 12-05-08  
 Drawn By JW  
 Checked By JB

PLAT MAP - EXHIBIT B1 - SHEET 1 OF 1  
 Total P.U.E. parcels to be abandoned of 6,708.74+/- sq.ft.  
 0.1540+/- acres or 0.0623+/- hectares  
 APN 116-0030-052