

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

Office of the City Clerk
City of Elk Grove
8401 Laguna Palms Way, 1st Floor
Elk Grove, CA 95758

Space above this line for Recorder's Use

RESOLUTION NO. 2010-1

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING THE ABANDONMENT OF AN IRREVOCABLE OFFER OF
DEDICATION IN CONJUNCTION WITH THE ELK GROVE RETIREMENT
RESIDENCE (EG-08-024)**

WHEREAS, the City of Elk Grove (successor to the County of Sacramento by Incorporation) (City) acquired an Irrevocable Offer of Dedication for any public purpose (right-of-way) by a Parcel Map filed in Book 69 page 16 of Parcel Maps, Records of Sacramento County; and

WHEREAS, the right-of-way is not required for the purpose for which it was offered or for any public purpose; and

WHEREAS, on February 5, 2009, the Planning Commission found the Elk Grove Retirement Residence project (EG-08-024), of which abandonment of the subject offer of dedication was a part, to be consistent with the General Plan; and

WHEREAS, the City's ability to vacate an Irrevocable Offer of Dedication is set forth in Government Code Section 66472.2 (c) and Division 9, Part 3, beginning with Section 8330, of the Streets and Highway Code.

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

- 1) The subject Irrevocable Offer of Dedication may be summarily abandoned pursuant to Government Code Section 66472.2 (c) and the Streets and Highway Code, Division 9, Part 3, Chapter 4, Article 1, Section 8334 (a), since it has been determined that the offer of dedication is excess right-of-way not required for street or highway purposes; and
- 2) The proposed abandonment is being made in conjunction with the Elk Grove Retirement Residence project (EG-8-024), for which the Planning Commission adopted an Initial Study / Mitigated Negative Declaration on February 5, 2009 in accordance with the California Environmental Quality Act ("CEQA"); and

3) The Irrevocable Offer of Dedication proposed for abandonment is as described in Exhibit "A" and depicted on Exhibit "B".

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED that the portion of the Irrevocable Offer of Dedication described in Exhibit "A" and depicted on Exhibit "B" are **hereby abandoned**.

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, incorporated herein by this reference, and 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 13th day of January 2010.


SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


SUSAN J. BLACKSTON, CITY CLERK

APPROVED AS TO FORM:


SUSAN COCHRAN, CITY ATTORNEY

EXHIBIT "A"

LEGAL DESCRIPTION FOR ABANDONMENT PURPOSES

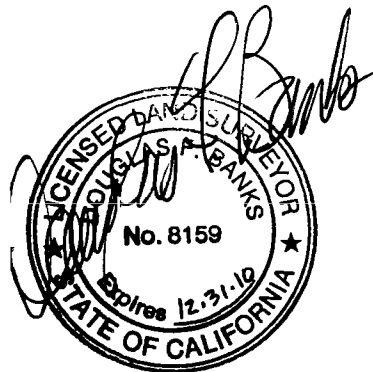
All of the 20-foot wide Irrevocable Offer of Dedication for any public purpose lying on, over, across and under Parcel "A" as shown on that certain Parcel Map, filed for record in Book 69 of Parcel Maps, Page 16, Sacramento County Records, lying in the northeast quarter (NE 1/4) of Section 26, Township 7 North, Range 5 East, Mount Diablo Base and Meridian, City of Elk Grove, Sacramento County, State of California, being more particularly described as follows:

COMMENCING at the northwest (NW) corner of said Parcel "A", also being a point on the centerline of Sheldon Road, also being a point on the north line of said Section 26; thence along the west line of said Parcel "A", South 00°12'04" West, 55.00 feet to the south right-of-way line of said Sheldon Road and the POINT OF BEGINNING; thence from said POINT OF BEGINNING, continuing along the west line of said Parcel "A", South 00°12'04" West, 384.35 feet to the southwest (SW) corner of said Parcel "A"; thence along the south line of said Parcel "A", South 89°51'31" East, 20.00 feet; thence parallel with the west line of said Parcel "A" and 20.00 feet east (measured at right angles) of said west line, North 89°51'31" West, 364.42 feet; thence along an arc of a tangent curve concave to the southeast, having a radius of 20.00 feet, a central angle of 89°51'56" and an arc length of 31.37 feet to a point on the south right-of-way line of said Sheldon Road, said point being 55.00 feet south (measured at right angles) of the centerline of said Sheldon Road; thence along said south right-of-way, North 89°56'00" West, 39.95 feet to the POINT OF BEGINNING.

A plat (EXHIBIT "B") showing the above described Irrevocable Offer of Dedication is attached hereto and made a part hereof.

END OF DESCRIPTION

Dated: 1.23.09



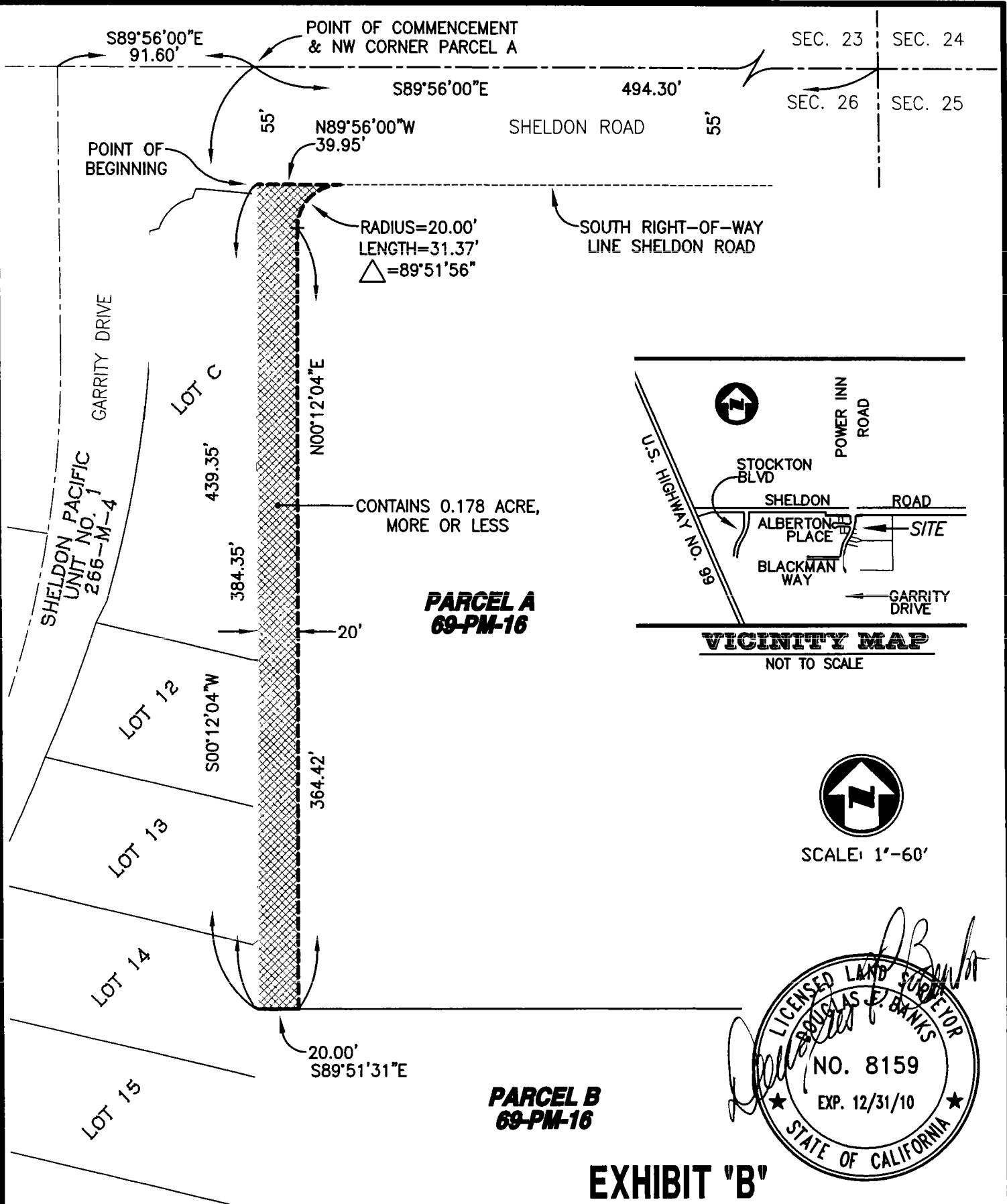


EXHIBIT 'B'

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2010-1**

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 January 13, 2010 by the following vote:

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

NOES: COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *Detrick*

ABSENT: COUNCILMEMBERS: *None*



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