

RESOLUTION NO. 2017-204

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A SUMMARY VACATION OF AN IRREVOCABLE OFFER OF
DEDICATION ON LAND LOCATED ON THE NORTHEAST CORNER OF ELK
GROVE BOULEVARD AND STATE ROUTE 99 (CEQA EXEMPT)**

WHEREAS, the County of Sacramento was granted an Irrevocable Offer of Dedication (IOD) on January 16, 1986, by an offer of dedication on the parcel map titled "Elk Grove Village Shopping Center; Lot A, Emerald Park Unit No. 15", filed in Book 91 Page 24, of Parcel Maps, records of Sacramento County, and, upon incorporation of the City of Elk Grove (City), the IOD reverted to the City by operation of law; and

WHEREAS, the northbound on-ramp to State Route 99 and Elk Grove Boulevard have been constructed to their ultimate widths; and

WHEREAS, this IOD only covers a portion of Assessor's Parcel No. 125-0390-011 and does not affect any other parcels in the commercial center; and

WHEREAS, the Project qualifies as a project under the California Environmental Quality Act (CEQA), Public Resource Code §§21000-21189.3, and

WHEREAS, Section 15061 (b)(3) (General Rule) of Title 14 of the California Code of Regulations (State CEQA Guidelines) provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment. When it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

WHEREAS, based on staff's review of the project, no unusual circumstances exist that would create a reasonable possibility that approving the proposed vacation of an IOD will have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby finds the Project exempt from the provisions of CEQA under Section 15061 (b)(3) (General Rule) of Title 14 of the California Code of Regulations based upon the following findings:

Finding: No further environmental review is required pursuant to Section 15061 (b) (3) of the State CEQA Guidelines.

Evidence: The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. When it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed action involves the vacation of an IOD. Based on staff's review of the project, no unusual circumstances exist that would create a reasonable possibility that approving

the proposed vacation of the IOD will have a significant effect on the environment. Therefore, the proposed Project qualifies for the exemption under CEQA Guidelines Sections 15061(b) (3) and no further environmental review is required.

AND, BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove hereby finds:

- a. That the summary vacation is being made under the Streets and Highway Code, Division 9, Part 3, Public Streets, Highways and Service Easement Vacation Law, Chapter 4, Vacation Sections 8330 through 8336 inclusive; and
- b. This easement being vacated is described in Exhibit "A" Legal Description and shown on Exhibit "B", plat to accompany Legal Description.

AND, BE IT FURTHER RESOLVED AND ORDERED that the IOD as described in described in Exhibit "A" and shown on Exhibit "B" is hereby vacated;

AND, BE IT FINALLY RESOLVED that the City Clerk of the City of Elk Grove shall cause a certified copy of this Resolution of Vacation 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 this 23rd day of August 2017.



STEVE LY, 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

That certain Irrevocable of dedication in the City of Elk Grove, County of Sacramento, State of California as shown on the map of "Parcel Map, Elk Grove Village Shopping Center, Lot A, Emerald Park Unit No. 15" filed in Book 91 Page 24 of Parcel Maps, records of Sacramento County.


EXHIBIT "B"

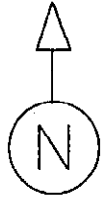
IRREVOCABLE OFFER OF DEDICATION ABANDONMENT

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125. 0390-018

LEGEND

 IRREVOCABLE OFFER OF DEDICATION BEING ABANDONED



SCALE

NTS

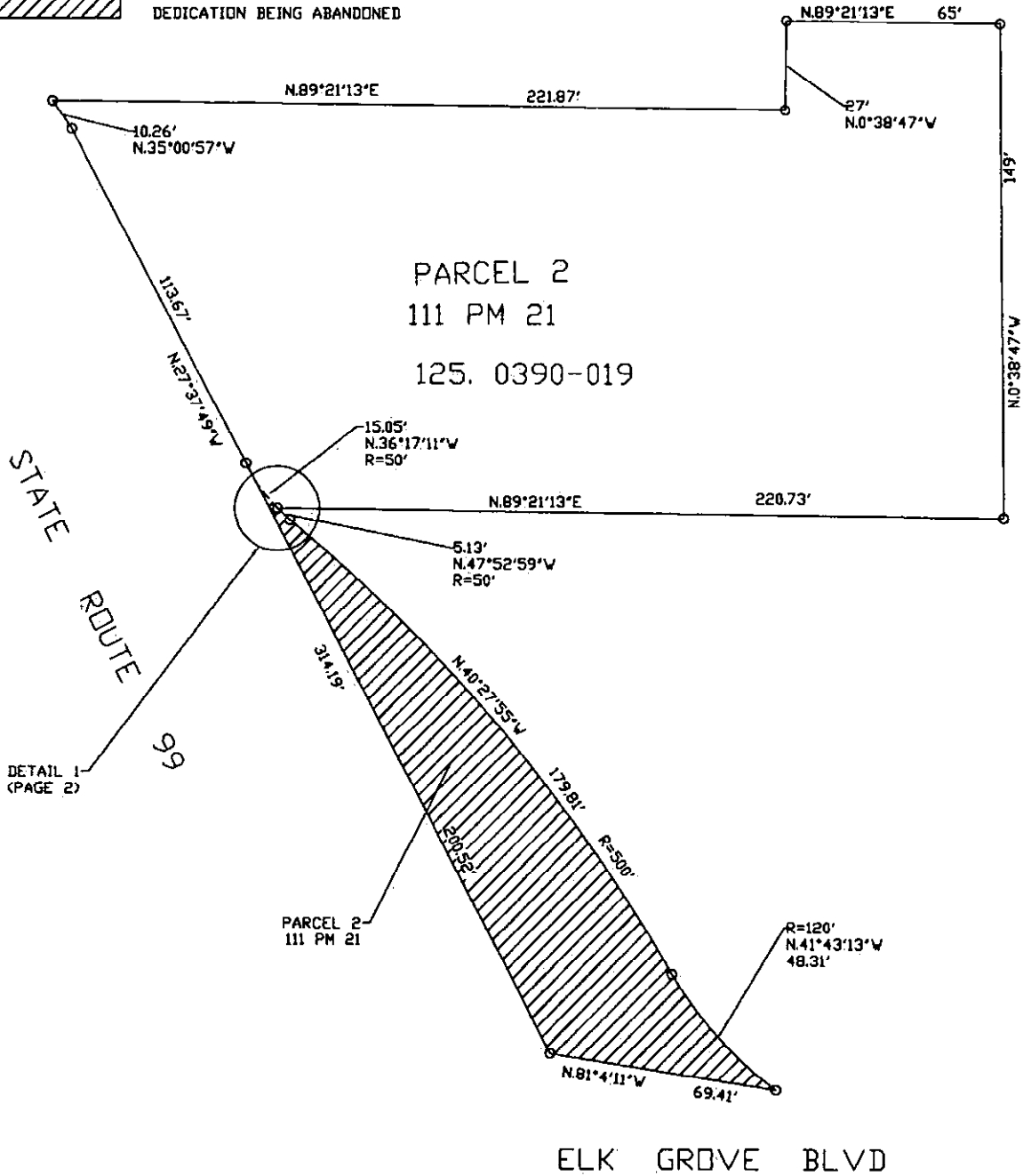
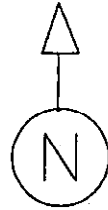


EXHIBIT "B"

IRREVOCABLE OFFER OF DEDICATION ABANDONMENT

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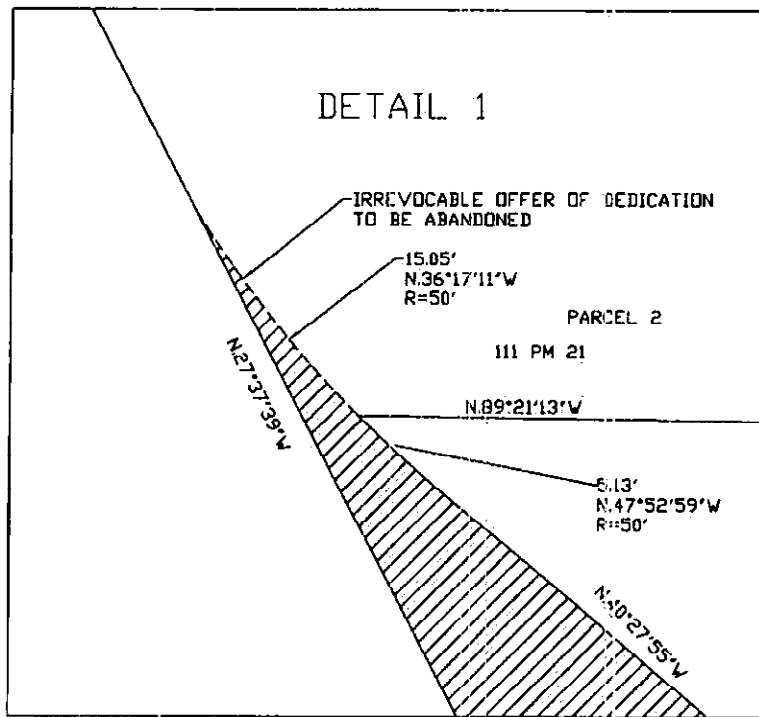
LEGEND



IRREVOCABLE OFFER OF
DEDICATION BEING ABANDONED

SCALE

NTS

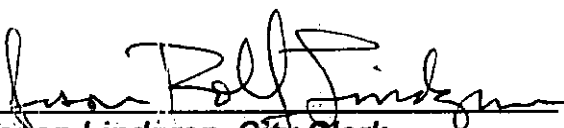


**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2017-204**

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 August 23, 2017 by the following vote:

AYES: COUNCILMEMBERS: Ly, Detrick, Hume, Nguyen, Suen
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None



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