RESOLUTION NO. 2022-287

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING THE FINAL MAP FOR SOUZA DAIRY, UNIT 3 (SUBDIVISION NO. 13-030-03) AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SUBDIVISION IMPROVEMENT AGREEMENT (CEQA EXEMPT)

WHEREAS, the City of Elk Grove City Council approved the Large Lot Tentative Subdivision Map, the Small Lot Tentative Subdivision Map (TSM) for the Souza Dairy Subdivision Project on August 12, 2015, and subsequently made a finding of Substantial Conformance to the TSM on August 4, 2021; and

WHEREAS, staff has reviewed the Final Map for Souza Dairy, Unit 3 (Subdivision No. 13-030-03) and finds it technically correct and that all applicable Final Map conditions of approval have been satisfied; and

WHEREAS, a Subdivision Improvement Agreement for the Final Map has been approved by the City Attorney and bonds have been posted to the City for the construction of the required improvements; and

WHEREAS, the Final Map is statutorily exempt from the California Environmental Quality Act (CEQA) Statutory Exemptions, Title 14 of the California Code of Regulations Section 15268(b)(3) Ministerial Projects, Approval of Final Subdivision maps, and a Notice of Exemption will be filed with the Sacramento County after the filing of this map; and

WHEREAS, the Final Map will not be filed with the Sacramento County until a new tax certificate is issued.

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

- 1) Finds the location and configuration of the lots to be created by the Final Map for Souza Dairy, Unit 3 (Subdivision No. 13-030-03) substantially comply with the previously-approved Tentative Subdivision Map; and
- 2) Finds the Final Map is statutorily exempt from the California Environmental Quality Act (CEQA), Statutory Exemptions, Title 14 of the California Code of Regulations Section 15268(b)(3) Ministerial projects, Approval of Final Subdivision Maps; and
- 3) Pursuant to Government Code Section 66458, approves the Final Map for Souza Dairy, Unit 3 (Subdivision No. 13-030-03), a copy of which is hereto attached as Exhibit A and made part of this Resolution and directs the City Clerk to transmit the Final Map to the County Recorder of the County of Sacramento for filing; and
- 4) Authorizes the City Manager to execute the Subdivision Improvement Agreement by and between the City of Elk Grove and VPTM Souza Dairy LB LLC, in substantially the form presented.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 9^{th} day of November 2022

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

ATTEST:

APPROVED AS TO FORM:

JASON LINDGREN, CITY CLERK

JÓNATHAN P. HOBBS, CITY ATTORNEY

EXHIBIT A

OWNER'S STATEMENT

THE UNDERSIGNED HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS FINAL MAP OF SUBDIVISION NO. 13-030.03 SOUZA DAIRY UNIT 3 AND OFFERS FOR DEDICATION AND DOES HEREBY DEDICATE THE FOLLOWING:

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES: PURSUANT TO THE PROVISION OF SECTION 7050 OF THE GOVERNMENT CODE WE HEREBY IRREVOCABLY OFFER FOR DEDICATION IN FEE SIMPLE LOTS Y, Z, AA, BB, AND CC TO THE CITY OF ELK GROVE

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS EASEMENTS FOR PUBLIC PURPOSES

TO THE CITY OF ELK GROVE FOR PUBLIC USE, LOTZ PARKWAY, KYLER ROAD, GOLDEN SUNRAY DRIVE, YARI WAY, SONA WAY, MAI WAY, KIRAN WAY, LAIRUS COURT, KIRAN COURT, AND ZHANNA COURT, WITHIN THE BOUNDARIES OF THE MAP SHOWN HEREON FOR PUBLIC STREET PURPOSES. SUBJECT TO

AN EASEMENT FOR PUBLIC UTILITY FOR PLANTING AND MAINTAINING TREES, INSTALLATION AND MAINTENANCE OF ELECTROLIERS, TRAFFIC CONTROL DEVICES, WATER AND GAS PIPES, AND FOR UNDERGROUND WIRES AND CONDUITS FOR ELECTRICAL, TELEPHONE AND TELEVISION SERVICES. TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THERETO, ON, OVER, UNDER AND ACROSS LOTS Y, 2. AA, BB, AND CC, AND THOSE TWELVE AND ONE-HALF FEET WIDE (12.5) STRIPS OF LAND LYING ADJACENT TO THE PUBLIC RIGHT-OF-WAYS AS SHOWN HEREON AND DESIGNATED AS "PUBLIC UTILITY FASEMENT" (PUE)

TO THE CITY OF ELK GROVE AN EASEMENT FOR VISIBILITY TO BE KEPT FREE FROM SIGNS, HEDGES, STRUCTURES, NATURAL GROWTH, FENCES OR OTHER OBSTRUCTIONS TO THE VIEW HIGHER THAN TWO FEET SIX INCHES (2-6") ABOVE THE NEAREST PAVEMENT SURFACE WITHIN THE AREA OVER AND ACROSS THAT THE LAND DESIGNATED HEREON AS "VISIBILITY EASEMENT" (V.E.).

THE FOLLOWING IS A DEDICATION OF ACCESS RIGHTS: THE EXCLUSIVE RIGHT OF VEHICULAR INGRESS AND/OR EGRESS IS GRANTED TO THE CITY OF ELK GROVE ACROSS THE LOT LINES SHOWN HEREON AND DESIGNATED "NO INGRESS OR EGRESS RIGHT LINE."(!!!!!)

VPTM SOUZA DAIRY LB LLC

A DELAWARE LIMITED LIABILITY COMPANY

BY: VP CARAVAN NOTECO LLC, ITS SOLE MEMBER BY: VARDE PARTNERS, INC., ITS MANAGER

TITLE:

OPTIONEE'S STATEMENT

TAYLOR MORRISON OF CALIFORNIA, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, AS OPTIONEE UNDER MEMORANDUM OF OPTION AGREEMENT RECORDED ON SEPTEMBER 24, 2021, IN DOCUMENT NUMBER 202109241105, OFFICIAL RECORDS OF SACRAMENTO COUNTY, CALIFORNIA, HEREBY CONSENTS TO THE RECORDATION OF THIS MAP AND THE SUBDIVISION OF THE LANDS SHOWN

NAME TITLE:

SURVEYOR'S STATEMENT

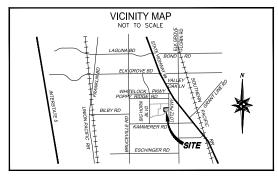
THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF SOUZA DAIRY LIMITED PARTNERSHIP, IN JULY 2018. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE DECEMBER 31, 2023, AND THAT THE MONUMENTS ARE, OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP

THE SUBDIVISION WITHIN THE HEAVY BORDER CONTAINS $19.854\pm$ ACRES, CONSISTING OF 66 RESIDENTIAL LOTS TOTALING $12.992\pm$ ACRES, 5 LANDSCAPE AND GREENWAY LOTS TOTALING $2.186\pm$ ACRES, AND STREET RIGHT-OF-WAY TOTALING 4.677± ACRES.

MACKAY & SOMPS CIVIL ENGINEERS, INC.



PAUL FERGUSON, JR., P.L.S. 9265 EXPIRATION DATE: MARCH 31, 2024



NOTARY'S ACKNOWLEDGMENT

STATE OF CALIFORNIA

STATE OF CALIFORNIA

COUNTY OF

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY OR VALIDITY OF THAT DOCUMENT.

ON	BEFORE ME,	, A NOTARY PUBLIC
NAME(S) IS/ARE SUBSCRIBED HE/SHE/THEY EXECUTED THE	BASIS OF SATISFACTORY EVIDENCE TO BE THE TO THE WITHIN INSTRUMENT AND ACKNOWLED SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(I) N THE INSTRUMENT THE PERSON(S), OR THE ENTIT	GED TO ME THAT ES), AND THAT BY
WHICH THE PERSON(S) ACTED, I I CERTIFY UNDER PENALTY OF P FOREGOING PARAGRAPH IS TRU	PERJURY UNDER THE LAWS OF THE STATE OF CALIFO	ORNIA THAT THE
WITNESS MY HAND AND OFFICIA		

SIGNATURE	PRINTED NAME	
MY PRINCIPAL PLACE OF BUSINESS IS _		COUNTY
MY COMMISSION EXPIRES:	MY COMMISSION NUMBER:	

NOTARY'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY OR VALIDITY OF THAT DOCUMENT.

OTATE OF ONEH ORIGIN			
COUNTY OF		_	
ON	BEFORE ME.		. A NOTARY PUBLI
ON	BEFORE ME,		, A NOTART PUBL

PERSONALLY APPEARED WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(JES), AND THAT BY HIS/HERTHEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE

WITNESS MY HAND AND OFFICIAL SEAL

SIGNATURE	PRINTED NAME	
MY PRINCIPAL PLACE OF BUSINESS IS		COUNTY
MY COMMISSION EXPIRES:	MY COMMISSION NUMBER:	

CITY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF SUBDIVISION NO. 13-030.03, SOUZA DAIRY UNIT 3, AND FIND IT TO BE TECHNICALLY CORRECT.



JOCELYN L. LIMAS LS NO 9596 REGISTRATION EXPIRES: 03-31-2023

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF SUBDIVISION NO. 13-030.03. SOUZA DAIRY UNIT 3 AND FIND THAT IT SUBSTANTIALLY COMPLIES WITH THE TENTATIVE MAP APPROVED BY THE CITY COUNCIL OF THE CITY OF ELK GROVE ON AUGUST 12, 2015, AND ANY APPROVED ALTERATIONS THEREOF: THAT ALL APPLICABLE PROVISIONS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES HAVE BEEN COMPLIED WITH



JEFFREY R. WERNER CITY ENGINEER, CITY OF ELK GROVE R.C.E. NO. 79066 EXPIRATION DATE: 3-31-24 DATE:

CITY CLERK'S STATEMENT

I, JASON LINDGREN, CITY CLERK OF THE CITY OF ELK GROVE, HEREBY STATE THAT THE CITY COUNCIL OF THE CITY OF ELK GROVE HAS APPROVED THIS FINAL MAP OF SUBDIVISION NO. 13-030.03 SOUZA DAIRY UNIT 3, ACCEPTED ON BEHALF OF THE PUBLIC, SUBJECT TO IMPROVEMENT, LOTZ PARKWAY, KYLER ROAD, GOLDEN SUNRAY DRIVE, YARI WAY, SONA WAY, MAI WAY, KIRAN WAY, LAIRUS COURT, KIRAN COURT, AND ZHANNA COURT FOR PUBLIC STREET PURPOSES, ACCEPTED THE PUBLIC UTILITY EASEMENTS AND VISIBILITY EASEMENT, ACCEPTED THE DEDICATION OF THE INGRESS AN EGRESS RIGHTS, DID CONSENT TO THE IRREVOCABLE OFFER OF DEDICATION IN FEE SIMPLE ALL AS OFFERED HEREON AND HAS APPROVED THE ABANDONMENT OF THE FASEMENTS LISTED HEREON



JASON LINDGREN, CITY CLERK CITY OF ELK GROVE, CALIFORNIA

RECORDER'S STATEMENT

FILED THIS PAGE INCLUDED IN THIS FILE IN THIS OFFICE	FINAL MAP BEING VEST	, 2022, AT,M. IN IF MACKAY & SOMPS CIVIL ENGINEER IED AS PER CERTIFICATE NO	S, INC. TITLE TO THE LAND
RECORDER OF SACRA		DOCUMENT NO.:	
BY:		FEE: \$	

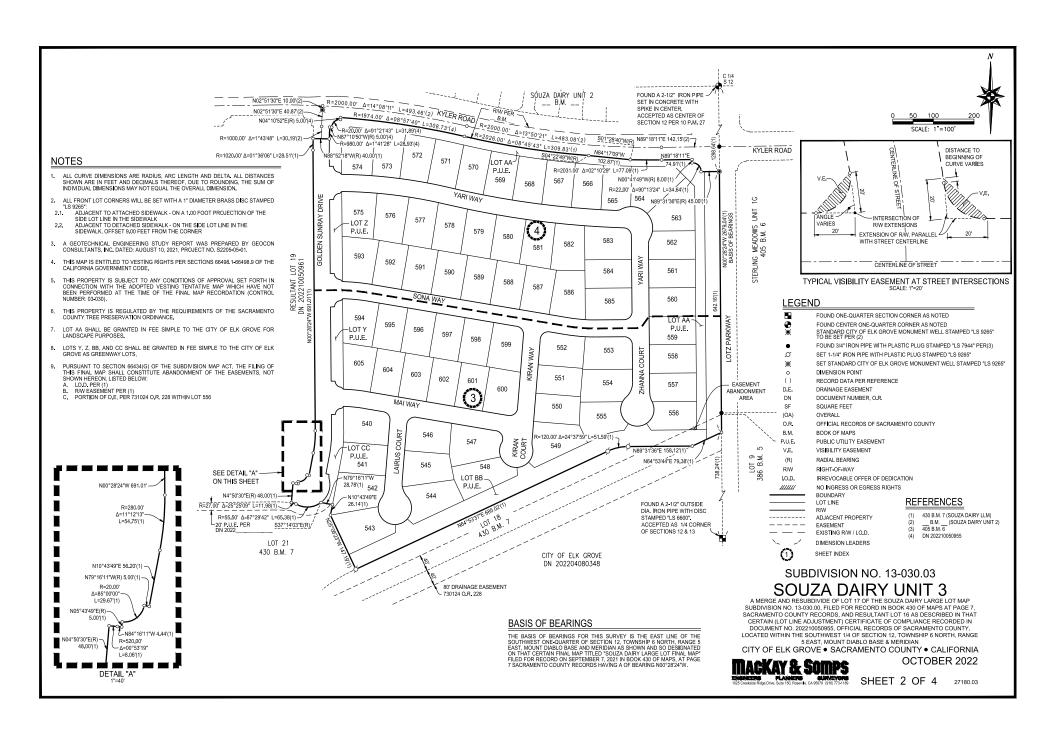
SUBDIVISION NO. 13-030.03 SOUZA DAIRY UNIT 3

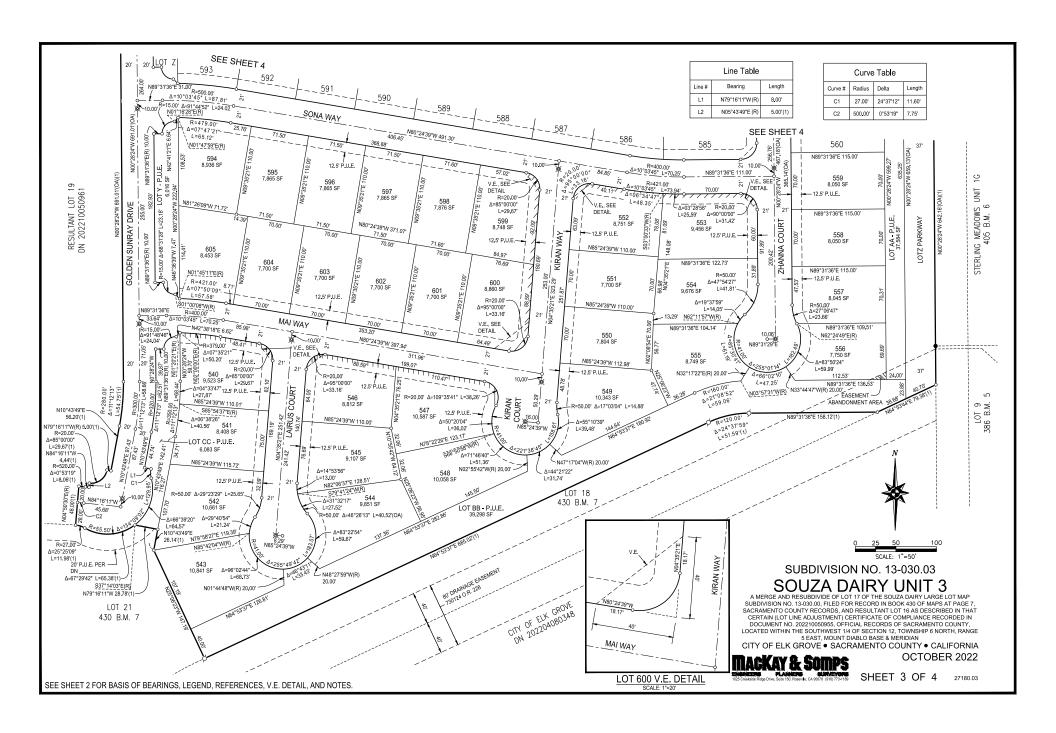
A MERGE AND RESUBDIVIDE OF LOT 17 OF THE SOUZA DAIRY LARGE LOT MAP SUBDIVISION NO. 13-030.00, FILED FOR RECORD IN BOOK 430 OF MAPS AT PAGE 7. SACRAMENTO COUNTY RECORDS, AND RESULTANT LOT 16 AS DESCRIBED IN THAT CERTAIN (LOT LINE ADJUSTMENT) CERTIFICATE OF COMPLIANCE RECORDED IN DOCUMENT NO. 202210050955, OFFICIAL RECORDS OF SACRAMENTO COUNTY,
LOCATED WITHIN THE SOUTHWEST 1/4 OF SECTION 12. TOWNSHIP 6 NORTH, RANGE 5 EAST, MOUNT DIABLO BASE & MERIDIAN

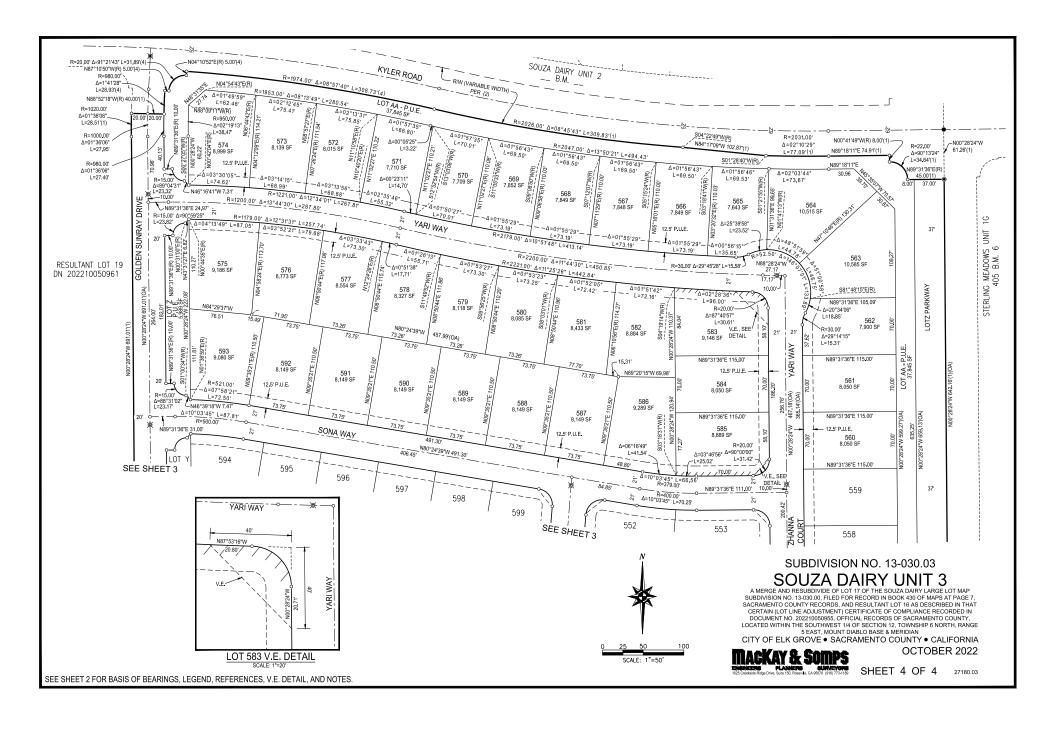
CITY OF ELK GROVE . SACRAMENTO COUNTY . CALIFORNIA OCTOBER 2022



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CERTIFICATION ELK GROVE CITY COUNCIL RESOLUTION NO. 2022-287

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 November 9, 2022 by the following vote:

AYES: COUNCILMEMBERS: Singh-Allen, Suen, Hume, Spease, Nguyen

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

Jason Lindgren, City Clerk City of Elk Grove, California