

ORDINANCE NO. 36-2006

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
REPEALING SECTIONS 2.61.021 AND 2.61.022 OF
THE ELK GROVE MUNICIPAL CODE RELATING TO THE CONVEYANCE
AND SALE OF CITY PROPERTY**

The City Council of the City of Elk Grove does ordain as follows:

Section 1: Purpose and Authority

The purpose of this ordinance is to repeal sections of the Elk Grove Municipal Code relating to the sale of City property. The City Council passes this ordinance pursuant to the authority granted cities by Article XI, Section 7 of the California Constitution.

Section 2: Repeal

Sections 2.61.021 and 2.61.022 of the Elk Grove Municipal Code are hereby repealed in their entirety.

Section 3: No Mandatory Duty of Care

This ordinance is not intended to and shall not be construed in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4: Severability

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 5: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within 15 days after its passage, a summary of the ordinance may be published at least five days prior to and fifteen (15) days after

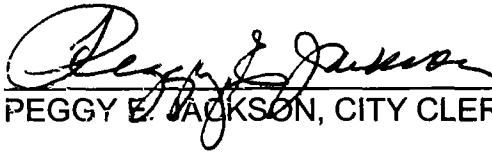
adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to Government Code section 36933(c)(1).

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 13th day of September 2006.



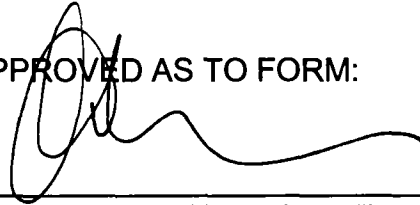
RICK SOARES, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

Effective Date: October 13, 2006

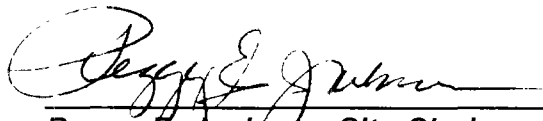
CERTIFICATION
ELK GROVE CITY COUNCIL ORDINANCE NO. 36-2006

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 ordinance was duly introduced on August 9, 2006 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on September 13, 2006 by the following vote:

AYES : **COUNCILMEMBERS:** Soares, Scherman, Briggs, Cooper
NOES : **COUNCILMEMBERS:** None
ABSTAIN : **COUNCILMEMBERS:** None
ABSENT: **COUNCILMEMBERS:** Leary

A summary of the ordinance was published pursuant to GC 36933(c) (1).



Peggy E. Jackson, City Clerk
City of Elk Grove, California

