

**RESOLUTION NO. 2017-015**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AUTHORIZING THE EXECUTION OF A GRANT DEED FOR A PARCEL OF LAND  
TO THE DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE ELK  
GROVE BOULEVARD-INTERSTATE 5 INTERCHANGE  
(CEQA EXEMPT)**

**WHEREAS**, prior to the incorporation of the City in July of 2000 the County of Sacramento entered into a Cooperative Agreement dated August 21, 1990 with Caltrans for the construction of the interchange at Elk Grove Boulevard and Interstate 5 (Project); and

**WHEREAS**, the agreement laid out the responsibility of the County to acquire land for the Project and after construction to grant any property within the footprint of the interchange owned by the County to Caltrans in fee simple, and that process did not occur; and

**WHEREAS**, the County originally owned this portion of the property within the interchange upon a relinquishment by Caltrans recorded in Book 19760102 Page 218, Official Records of Sacramento County, and the City became owner through the City's incorporation pursuant to Section 989 of the Streets and Highway Code; and

**WHEREAS**, Caltrans has requested that the City grant them this parcel within the interchange pursuant to the Agreement and City is willing to do so and requests the City Council direct the Mayor execute the grant deed; and

**WHEREAS**, the California Environmental Quality Act (CEQA) requires analysis of agency approvals of discretionary "Projects." CEQA Guidelines Section 15061(b)(3) sets forth the general rule exemption, which provides that CEQA only applies to projects which "have the potential for causing a significant effect on the environment; where 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."

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby finds that the grant of property rights to Caltrans requires no further environmental review pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations (CEQA Guidelines), based upon the following finding:

Finding: No further environmental review is required pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations (CEQA Guidelines).

Evidence: The proposed Project involves only the granting of property rights for a single parcel located within the I-5/Elk Grove Boulevard Interchange to Caltrans. The parcel is part of the larger interchange project that has been completed and no physical changes to the parcel are proposed. No physical construction or activity is contemplated as a result of this action; it is only the transfer of property rights. The Project, therefore, will not have the potential to result in individual or cumulative significant effects on the

environment. Furthermore, no special circumstances exist that would create a reasonable possibility that approving the Project would have a significant effect on the environment. Thus, the proposed land grant is exempt from review under CEQA.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the City Council of the City of Elk Grove hereby grants to Caltrans the property within the Elk Grove Boulevard-Interstate 5 interchange, as described in Exhibit A attached hereto and incorporated herein, pursuant to the Agreement, and authorizes the City Manager to execute the grant and transmit the deed to Caltrans for processing and recordation in substantially the form presented.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 25<sup>th</sup> day of January 2017.

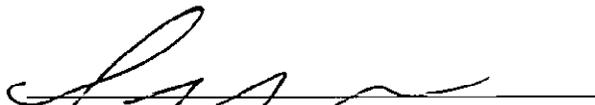


STEVE LY, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

  
JONATHAN P. HOBBS,  
CITY ATTORNEY

Space above this line for Recorder's Use

**GRANT DEED**  
CORPORATION

District	County	Route	Post Mile	Number
03	SAC	5	10.8	036609-1

City of Elk Grove, a municipal corporation,

a corporation organized and existing under and by virtue of the laws of the State of California does hereby GRANT to the STATE OF CALIFORNIA all that real property in the City OF Elk Grove, County of Sacramento, State of California, described as:

**EXHIBIT "A" ATTACHED**

EXHIBIT "A"

All that portion of SEGMENT NO. 6 of the RELINQUISHMENT OF HIGHWAY RIGHT OF WAY IN THE COUNTY OF SACRAMENTO, REQUEST NO. 016378-X, conveyed to the County of Sacramento, recorded January 2, 1976, in Book 7601-02, Page 248, Official Records of Sacramento County, described as follows:

BEGINNING at the Westerly terminus of COURSE (41) in PARCEL 1 of the deed recorded in Book 74 09 30, Page 63, Official Records of said County. Said BEGINNING Point is also the Northwest corner of parcel conveyed by GRANT DEED to the County of Sacramento, recorded September 5, 1991, in Book 91 09-5, Page 1334, Official Records of said County.

Thence, from said BEGINNING Point, along said "COURSE (41)" and the North line of said "parcel conveyed by GRANT DEED to the County of Sacramento, recorded September 5, 1991, in Book 91 09-5, Page 1334, Official Records of said County", North 84°58'35" East, 348.56 feet.

Thence leaving said "North line" and continuing along said "COURSE (41)", North 84°58'35" East, 417.79 feet to the westerly terminus of COURSE (42) in said "PARCEL 1".

Thence along said "COURSE (42)" North 89°37'53" East, 147.16 feet to the Southerly terminus of COURSE (43) in said "PARCEL 1".

Thence along said "COURSE (43)" North 09°37'18" West, 111.45 feet to the easterly terminus of COURSE (44) in said "PARCEL 1" and the Southeast corner of the parcel conveyed by GRANT DEED to the County of Sacramento, recorded September 5, 1991, in Book 91 09-5, Page 1335, Official Records of said County.

Thence along said "COURSE (44)" and the South line of said "parcel conveyed by GRANT DEED to the County of Sacramento, recorded September 5, 1991, in Book 91 09-5, Page 1335, Official Records of said County", South 89°37'53" West, 129.24 feet to the easterly terminus of COURSE (45) in said "PARCEL 1".

Thence along said "COURSE (45)" and continuing along said "South line", North 74°29'33" West, 175.46 feet to the easterly terminus of COURSE (46) in said "PARCEL 1".

Thence along said "COURSE (46)" and continuing along said "South line", North 82°47'34" West, 650.58 feet to the westerly terminus of Said "COURSE (46)" and the southwest corner of said "parcel conveyed by GRANT DEED to the County of Sacramento, recorded September 5, 1991, in Book 91 09-5, Page 1335, Official Records of said County".

Thence leaving said "South line" South 09°37'18" East, 310.00 feet to the point of BEGINNING.

Bearing and distances used herein are ground based upon the California State Plane Coordinate System, Zone 2 (NAD27). To obtain grid distances multiply distances shown by the combined grid factor of 0.99999.

This real property description has been prepared  
By me, under my direction, in conformance  
with the Professional Land Surveyors Act.

Signature: 

Date: 03-01-16



The grantor further understands that the present intention of the grantee is to construct and maintain a public highway on the lands hereby conveyed in fee and the grantor, for itself, its successors and assigns, hereby waives any claims for any and all damages to grantor's remaining property contiguous to the property hereby conveyed by reason of the location, construction, landscaping or maintenance of said highway.

IN WITNESS WHEREOF, said corporation has caused its corporate name to be hereunto subscribed and its corporate seal to be affixed hereto, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

By \_\_\_\_\_ President

By \_\_\_\_\_ Secretary

} ss

[CORPORATE SEAL]

### 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.

State of California  
 County of \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_  
(insert name and title of the officer)

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(ies), and that by his/her/their 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 foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

Number
036609-1

**THIS IS TO CERTIFY, That the State of California, acting by and through the Department of Transportation (pursuant to Government Code Section 27281), hereby accepts for public purposes the real property described in the within deed and consents to the recordation thereof.**

**IN WITNESS WHEREOF, I have hereunto set my hand**

this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Director of Transportation

By \_\_\_\_\_  
Attorney in Fact

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2017-015**

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

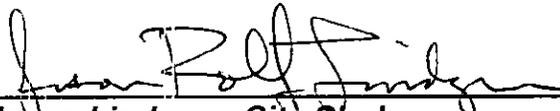
***I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 25, 2017 by the following vote:***

**AYES :           COUNCILMEMBERS:        *Ly, Detrick, Hume, Suen***

**NOES:           COUNCILMEMBERS:        *None***

**ABSTAIN :       COUNCILMEMBERS:        *None***

**ABSENT:         COUNCILMEMBERS:        *None***

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