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WHEN RECORDED MAIL TO:

City of Elk Grove
Office of the City Clerk
8400 Laguna Palms Way
Elk Grove CA 95758



Sacramento County Recording
Mark Norris, Clerk/Recorder
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BKC/08/1-5

RESOLUTION NO. 2001-68

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
VACATING AN ABUTTERS AND ACCESS RIGHTS
PURSUANT TO THE PROVISION OF THE PUBLIC STREETS,
HIGHWAYS AND SERVICE EASEMENT LAWS**

RESOLUTION NO. 2001-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE VACATING AN ABUTTERS AND ACCESS RIGHTS, PURSUANT TO THE PROVISION OF THE PUBLIC STREETS, HIGHWAYS AND SERVICE EASEMENT LAWS

WHEREAS, on August 15, 2001, the City Council adopted Resolution No. 2001-62, a resolution of intention to vacate an abutters and access rights, and ordered that the hearing on the proposed vacation be set for the 5th day of September 2001, at the City Hall, 8400 Laguna Palms Way, Elk Grove, California; and

WHEREAS, a copy of Resolution No. 2001-62, has been posted for public view at City Hall of the City of Elk Grove at least two weeks in advance of the hearing; and

WHEREAS, notice of the date, hour and place of hearing of the proposed vacation was published for at least two successive weeks prior to the hearing; and

WHEREAS, at least two weeks before the day set for the hearing, at least three notices of vacation were conspicuously posted along the easement, not more than 300 feet apart; and

WHEREAS, the hearing described above has been conducted, and this City Council, having heard and considered all oral, documentary and other evidence presented, hereby finds, determines and orders as follows:

BE IT RESOLVED by the City Council of the City of Elk Grove, a political subdivision of the State of California, that this City Council hereby finds as follows:

- a. That vacation of the abutters and access rights would be consistent with, and not violative of, the General Plan and all elements and components thereof for the City of Elk Grove;

- b. That the abutters and access rights is not useful a non-motorized transportation facility because the dedication did not provide for that use;
- c. That the abutters and access a right is unnecessary for present or prospective public use because the Transportation Department approved the driveway access;
- d. The public interest will be served by the herein vacation.

BE IT FURTHER RESOLVED AND ORDERED THAT THE FOLLOWING DESCRIBED abutters and access rights is hereby vacated:

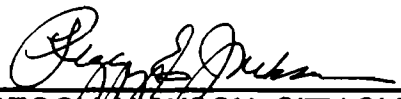
SEE ATTACHED EXHIBIT A

BE IT FINALLY RESOLVED AND ORDERED that the Clerk of the Elk Grove City Council shall cause a certified copy of this Resolution of Vacation, attested by the Clerk under seal, to be recorded in the office of the Recorder of the County of Sacramento.


PASSED AND ADOPTED by the City Council of Elk Grove, State of California this 5th day of September 2001.


MICHAEL P. LEARY, MAYOR of the
CITY OF ELK GROVE

ATTEST:


PEGGY JACKSON, CITY CLERK
CITY OF ELK GROVE

APPROVED AS TO FORM:


ANTHONY MANZANETTI,
CITY ATTORNEY

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

Exhibit "A"

All that portion of Parcel 43 as said parcel is shown on that certain parcel map entitled "REVISED PARCEL MAP OF A PORTION OF AMENDED PARCEL MAP OF LAGUNA BUSINESS PARK (89 P.M. 17)" filed in the office of the Recorder, County of Sacramento, State of California, Book 98 of Parcel Maps, Page 31 and being a portion of Parcel (a) of Exhibit "A" of that Final Order of Condemnation recorded in said Recorder's office in Book 910827 Official Records, Page 1345 more particularly described as follows:

Beginning at a point on the westerly line of said Parcel (a) which point bears North 67°13'43" West 47.16 feet from the most southerly corner of said Parcel (a); thence from said Point of beginning along said Westerly line North 22°11'36" West 45.00 feet to the point of ending.