

## RESOLUTION NO. 2002-126

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AUTHORIZING THE EXECUTION OF AN ACQUISITION AGREEMENT FOR THE EAST FRANKLIN COMMUNITY FACILITIES DISTRICT NO. 2002-1

**WHEREAS**, on May 15, 2002, the City Council of the City adopted Resolution No. 2002-81 and thereby established the City of Elk Grove East Franklin Community Facilities District No. 2002-1 (the "CFD");

**WHEREAS**, pursuant to the approving vote of the landowners within the CFD, the City is now authorized to levy special taxes and issue bonds to pay for the construction of certain public facilities and improvements that will serve development within the East Franklin Specific Plan area, some of which will be owned by the City and some of which will be owned by other public agencies;

**WHEREAS**, the City Council has duly considered the contents of the draft acquisition agreement between the City and the East Franklin Implementation Group, LLC (the "Agreement"), a copy of which is on file with the City Clerk, which would establish the conditions under which the City may acquire facilities and improvements constructed by property owners or developers and pay for them from the proceeds of bonds issued for and special taxes levied in the CFD;

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

1. **Recitals**. Each of the above recitals is incorporated herein and is true and correct.
2. **Authorization of Officers to Execute and Deliver Agreement**. The City Council hereby authorizes and directs the Mayor, the City Manager, the Director of Public Works, and the City Clerk, and each of them individually (the "Designated Officers"), for and in the name of and on behalf of the City, to execute and deliver the Agreement in substantially the form of the draft presented to this meeting, which Agreement is hereby approved, with such changes, insertions, revisions, corrections, or amendments as shall be approved by the Designated Officer or Officers executing the Agreement for the City. The execution of the Agreement by a Designated Officer or Officers of the City shall constitute conclusive evidence of such officer's or officers' and the City Council's approval of the Agreement and any such changes, insertions, revisions, corrections, or amendments.
3. **General Authorization**. The Designated Officers and other officers of the City, and each of them individually, are hereby authorized and directed, for and in the name of and on behalf of the City, to do any and all things and take any and all actions that may be necessary or advisable, in their discretion, in order to effect the purposes of

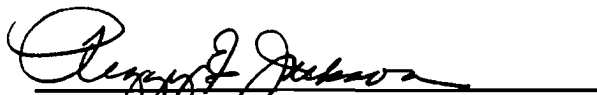
this resolution. All actions heretofore taken by officers, employees, and agents of this City that are in conformity with the purposes and intent of this resolution are hereby approved, confirmed, and ratified.

4. **Effective Date.** This resolution shall take effect immediately upon its adoption.

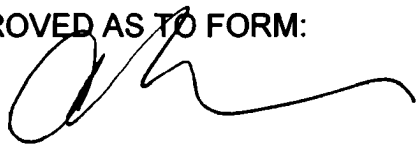
**PASSED AND ADOPTED** by the Elk Grove City Council on July 17, 2002.

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

ATTEST:

  
\_\_\_\_\_  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
ANTHONY B. MANZANETTI,  
CITY ATTORNEY

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