

**NO FEE DOCUMENT**

RECORDING REQUESTED BY AND  
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  
BOOK **20020617** PAGE **1463**

Monday, JUN 17, 2002 1:11:40 PM  
Ttl Pd \$0.00 Nbr-0001297481

DLE/07/1-10

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**RESOLUTION NO. 2002-91**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
VACATING A RIGHT-OF-WAY AND A PUBLIC UTILITY EASEMENT,  
PURSUANT TO THE PROVISION OF THE PUBLIC STREETS, HIGHWAYS  
AND SERVICE EASEMENT LAWS**

## **RESOLUTION NO. 2002-91**

### **RESOLUTION VACATING A RIGHT-OF-WAY AND A PUBLIC UTILITY EASEMENT, PURSUANT TO THE PROVISION OF THE PUBLIC STREETS, HIGHWAYS AND SERVICE EASEMENT LAWS**

**WHEREAS, on May 15, 2002, the City Council adopted Resolution No. 2002-78, a resolution of intention to vacate a right-of-way and a public utility easement, and ordered that the hearing on the proposed vacation be set for the 5<sup>th</sup> day of June 2002, at the City Hall, 8400 Laguna Palms Way, Elk Grove, California; and**

**WHEREAS, a copy of Resolution No. 2002-78, has been posted on the window of the 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 right-of-way and 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 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 a right-of-way and a public utility easement 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 right-of-way and public utility easement is not useful as a non-motorized transportation facility because the remaining right-of-way will provide for that use;
- c. That the right-of-way and public utility easement is unnecessary for present or prospective public use because this right-of-way is excess area for the required street width of Brown Road and letters are on file from all of the utility companies stating that they have no objection to this proposed abandonment;
- d. The public interest will be served by the herein vacation.

BE IT FURTHER RESOLVED AND ORDERED THAT THE FOLLOWING DESCRIBED right-of-way and public utility easement is hereby vacated:

**SEE ATTACHED EXHIBIT A & B**

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 5<sup>th</sup> day of June 2002.

  
 \_\_\_\_\_  
 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,  
 Scherman,  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Briggs

**EXHIBIT A  
DESCRIPTION OF  
BROWN ROAD RIGHT-OF-WAY  
ABANDONMENT**

All that portion of Parcel 2 of that certain Parcel Map filed for record in Book 156 of Parcel Maps, at Page 1, of the Official Records of Sacramento County situate in the Northwest One-Quarter (¼) of Section 19, Township 7 North, Range 6 East, Mount Diablo Meridian, County of Sacramento, City of Elk Grove, State of California and being further described as follows:

**Parcel A**

Commencing at the Northwest corner of said Parcel 2; thence along the West line of said aforementioned Parcel 2 South 00°12'24" West a distance of 27.00 feet to the True Point of Beginning; thence from said True Point of Beginning North 89°59'56" East a distance of 317.32 feet to a point of curvature; thence southeasterly 39.63 feet along the arc of a 25.00 foot radius curve to the right, through a central angle of 90°49'59" to a point of compound curvature; thence southerly 3.16 feet along the arc of a 498.00 foot radius curve to the right through a central angle of 00°21'49" to a point of cusp; thence from a radial line which bears South 88°48'17" East, northerly 39.79 feet along the arc of a 25.00 foot radius non-tangent curve to the left through a central angle of 91°11'48"; thence South 89°59'56" West a distance of 317.28 feet to a point situate on said West line of aforementioned Parcel 2; thence along said West line North 00°12'24" East a distance of 3.00 feet to the Point of Beginning and containing 1029 square feet of land more or less.

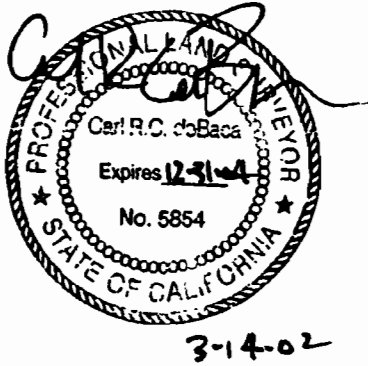
**Parcel B**

Commencing at the aforementioned Northwest corner of said Parcel 2; thence along the North line of said Parcel 2, North 89°56'56" East a distance of 494.20 feet to the Northeast corner of said Parcel 2; thence along the East line of aforementioned Parcel 2 South 00°11'30" West a distance of 25.00 feet to the True Point of Beginning; thence from said True Point of Beginning South 89°59'56" West a distance of 74.86 feet to a point of curvature; thence southwesterly 39.06 feet along the arc of a 25.00 foot radius curve to the left through a central angle of 89°30'50" to a point of reverse curvature; thence southerly 4.78 feet along the arc of a 550.00 foot radius curve to the right through a central angle of 00°29'54" to a point of cusp; thence from a radial line which bears North 89°01'01" West, northerly 38.84 feet along the arc of a 25.00 foot radius non-tangent curve to the right through a central angle of 89°00'57"; thence North 89°59'56" East a distance of 74.91 feet to a point situate on said East line of aforementioned Parcel 2; thence along said East line North 00°11'30" East a distance of 5.00 feet to the Point of Beginning and containing 498 square feet of land more or less.

1061.003  
February 25, 2002  
Brownrw/krc

See Exhibit "A-1", plat to accompany description, attached hereto and made a part hereof.

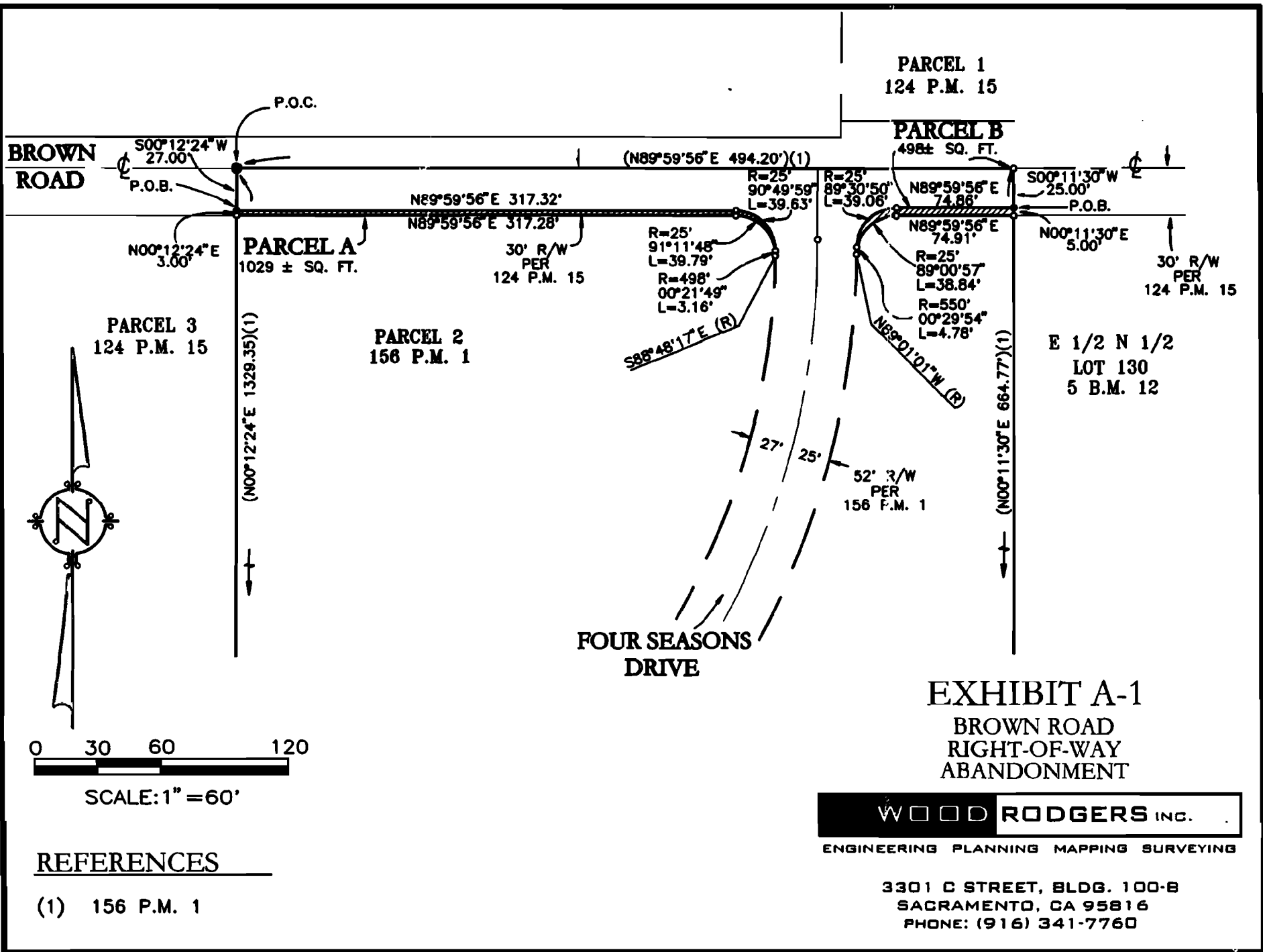
Carl R. C.de Baca P.L.S. 5854  
Expires December 31, 2004



PREPARED BY WOOD RODGERS, INC  
SACRAMENTO, CALIFORNIA

FOR EXHIBIT A

RESERVING, however, the right of entry to repair, maintain, and construct drainage, sewer, water and gas pipes, and aerial or underground power, telephone, and other communication facilities now in place or which from time to time may be placed thereon.



**EXHIBIT B**  
**DESCRIPTION OF**  
**BROWN ROAD P.U.E.**  
**ABANDONMENT**

All that portion of Parcel 2 of that certain Parcel Map filed for record in Book 156 of Parcel Maps, at Page 1, of the Official Records of Sacramento County situate in the Northwest One-Quarter ( $\frac{1}{4}$ ) of Section 19, Township 7 North, Range 6 East, Mount Diablo Meridian, County of Sacramento, City of Elk Grove, State of California and being further described as follows:

**Parcel A**

Commencing at the Northwest corner of said Parcel 2; thence along the West line of said aforementioned Parcel 2 South  $00^{\circ}12'24''$  West a distance of 39.50 feet to the True Point of Beginning; thence from said True Point of Beginning North  $89^{\circ}59'56''$  East a distance of 317.37 feet to a point of curvature; thence southeasterly 19.90 feet along the arc of a 12.50 foot radius curve to the right, through a central angle of  $90^{\circ}49'59''$  to a point of compound curvature; thence southerly 3.08 feet along the arc of a 485.50 foot radius curve to the right through a central angle of  $00^{\circ}21'48''$  to a point of cusp; thence from a radial line which bears South  $88^{\circ}48'17''$  East, northeasterly 19.90 feet along the arc of a 12.50 foot radius non-tangent curve to the left through a central angle of  $91^{\circ}11'47''$ ; thence South  $89^{\circ}59'56''$  West a distance of 317.33 feet to a point situate on said West line of aforementioned Parcel 2; thence along said West line North  $00^{\circ}12'24''$  East a distance of 3.00 feet to the Point of Beginning and containing 990 square feet of land more or less.

**Parcel B**

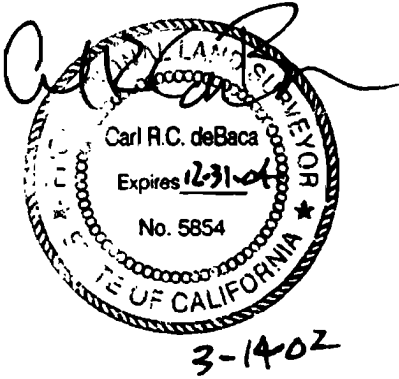
Commencing at the aforementioned Northwest corner of said Parcel 2; thence along the North line of said Parcel 2, North  $89^{\circ}56'56''$  East a distance of 494.20 feet to the Northeast corner of said Parcel 2; thence along the East line of aforementioned Parcel 2 South  $00^{\circ}11'30''$  West a distance of 37.50 feet to the True Point of Beginning; thence from said True Point of Beginning South  $89^{\circ}59'56''$  West a distance of 74.82 feet to a point of curvature; thence southwesterly 19.53 feet along the arc of a 12.50 foot radius curve to the left through a central angle of  $89^{\circ}30'50''$  to a point of reverse curvature; thence southerly 4.89 feet along the arc of a 562.50 foot radius curve to the right through a central angle of  $00^{\circ}29'54''$  to a point of cusp; thence from a radial line which bears North  $89^{\circ}01'01''$  West, northeasterly 19.42 feet along the arc of a 12.50 foot radius non-tangent curve to the right through a central angle of  $89^{\circ}00'57''$ ; thence North  $89^{\circ}59'56''$  East a distance of 74.87 feet to a point situate on said East line of aforementioned Parcel 2; thence along said East line North  $00^{\circ}11'30''$  East a distance of 5.00 feet to the Point of Beginning and containing 436 square feet of land more or less.



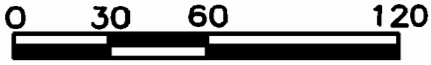
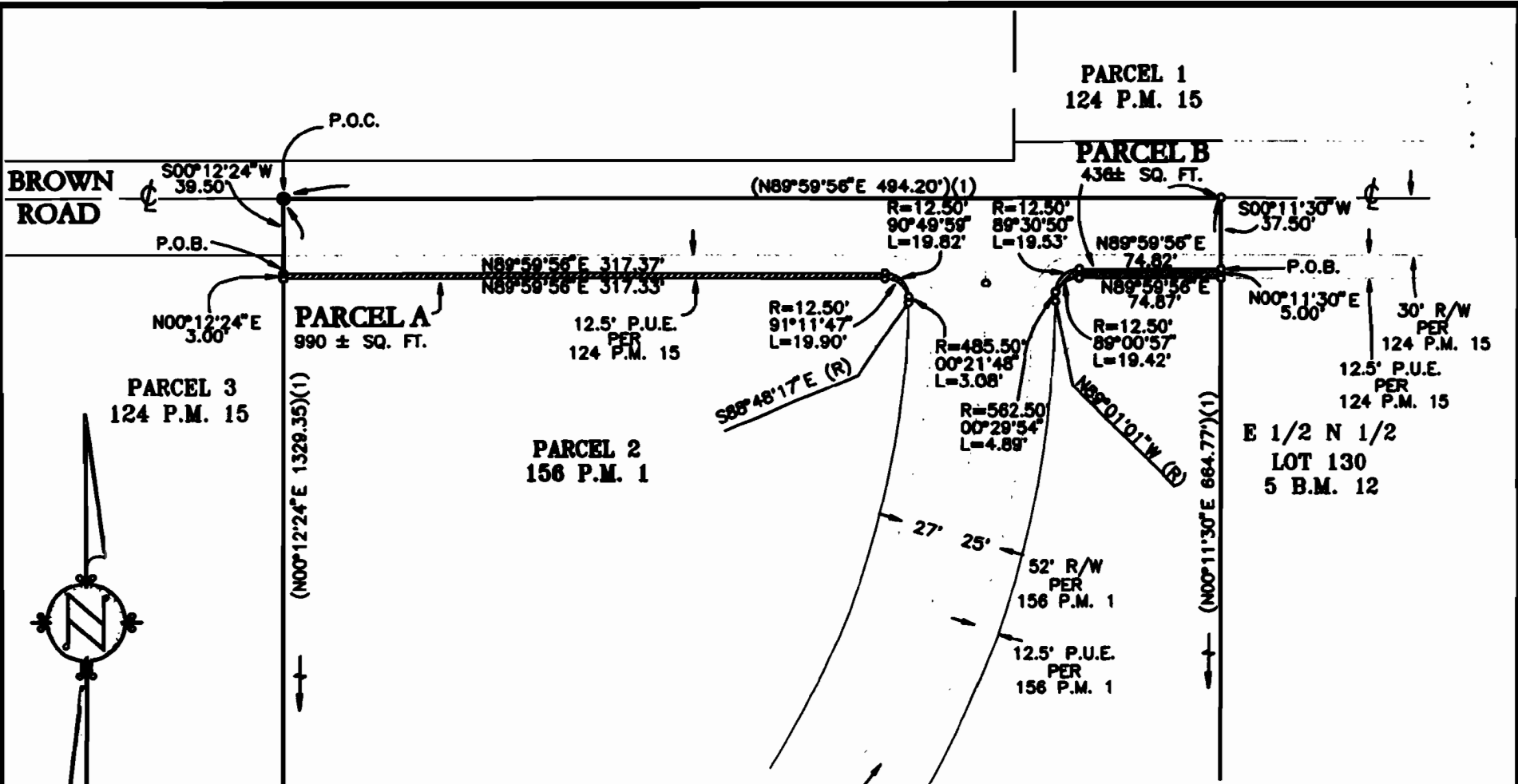
1061.003  
February 25, 2002  
BrownPUE/krc

See Exhibit "B-1", plat to accompany description, attached hereto and made a part hereof.

Carl R. C.de Baca P.L.S. 5854  
Expires December 31, 2004



PREPARED BY WOOD RODGERS, INC  
SACRAMENTO, CALIFORNIA



SCALE: 1" = 60'

**REFERENCES**

(1) 156 P.M. 1

**EXHIBIT B-1**  
BROWN ROAD  
P.U.E.  
ABANDONMENT

**WILLID RODGERS INC.**

ENGINEERING PLANNING MAPPING SURVEYING

3301 C STREET, BLDG. 100-B  
SACRAMENTO, CA 95816  
PHONE: (916) 341-7760