

RESOLUTION NO. 2003-250

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE EXPRESSING ITS INTENTION TO LEVY STORM DRAINAGE FEES

WHEREAS, by its Ordinance No. 22-2003, adopted on June 18, 2003 (the "Ordinance"), the City Council (the "Council") of the City of Elk Grove (the "City") reaffirmed the levy of storm drainage fees imposed by the County of Sacramento on lands within the boundaries of the City that were included within Zone 12 of the Sacramento County Water Agency on June 30, 2003; and

WHEREAS, the owner(s) of property identified as Poppy Ridge Plaza, Bilby Meadows Unit 1, and Southmeadows Unit 2, descriptions of which are attached hereto as Exhibit A, B, C have requested the Council to make the property subject to the storm drainage fees levied pursuant to the Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elk Grove as follows:

Section 1. Recitals. The foregoing recitals are true and correct and this Council so finds and determines.

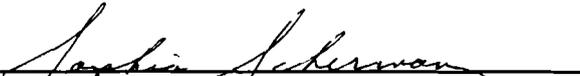
Section 2. Declaration of Intention. This Council hereby declares its intention to levy the storm drainage fees described in the Ordinance on the property described in Exhibit A.

Section 3. Notice of Public Hearing. On Wednesday, February 18, 2004 at 6:30 p.m., or as soon thereafter as the matter may be heard, at City Hall, 8400 Laguna Palms Way, Elk Grove, California, the City Council shall hold a public hearing on the levy of the storm drainage fees.

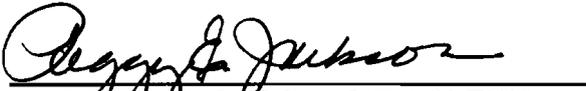
Section 4. Publication and Mailing of Notice and Ballot. The City Clerk is directed (i) to publish a notice of the hearing in The Elk Grove Citizen twice in a ten-day period with at least five days intervening between publications (per Government Code §6062a);(ii) to mail a notice of the public hearing by first-class mail, postage prepaid, to the owner(s) of the property upon which the fees are proposed to be levied; and (iii) to mail a ballot (which may be included with the notice of public hearing) by first-class mail, postage prepaid, to said owners. The notice of the hearing shall be in the form attached hereto as Exhibit D. The ballot shall be in the form attached hereto as Exhibit E. The mailing of the notice shall be completed by December 31, 2003, which is at least 45 days before the date of the hearing.

Section 5. Effective Date. This resolution shall take effect from and after the date of its passage.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 17th day of December 2003.


SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

ANTHONY B. MANZANETTI,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2003-250**

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 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 the 17th day of December 2003 by the following vote:

AYES 4: COUNCILMEMBERS: Scherman, Soares, Briggs, Leary

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 1: COUNCILMEMBERS: Cooper





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

POPPY RIDGE PLAZA

All that certain real property situated in the City of Elk Grove, County of Sacramento, State of California in Section 10, Township 6 North, Range 5 East, Mount Diablo Meridian, being "Exhibit A, Resultant Parcel of Book 20011231, Page 0360, Official Records of Sacramento County, being more particularly described as follows:

Beginning at the northeasterly corner of said Resultant Parcel, thence from said Point of Beginning, South 04°52'42" East, a distance of 942.08 feet along the easterly line of said Resultant Parcel to the southeasterly corner of said Resultant Parcel;

Thence, South 86°06'26" West, a distance of 588.67 feet along a southerly line of said Resultant Parcel to an angle point in said southerly line;

Thence, North 62°38'49" West, a distance of 73.92 feet along said southerly line to the southwesterly corner of said Resultant Parcel;

Thence, North 03°55'39" West, a distance of 903.21 feet along the westerly line of said Resultant Parcel to the northwesterly corner of said Resultant Parcel;

Thence, North 86°04'21" East, a distance of 636.20 feet along the northerly line of said Resultant Parcel to the Point of Beginning.

Containing 13.896 Acres, more or less.

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

End of description.

This description was prepared by or under my direction pursuant to the Professional Land Surveyor Act.

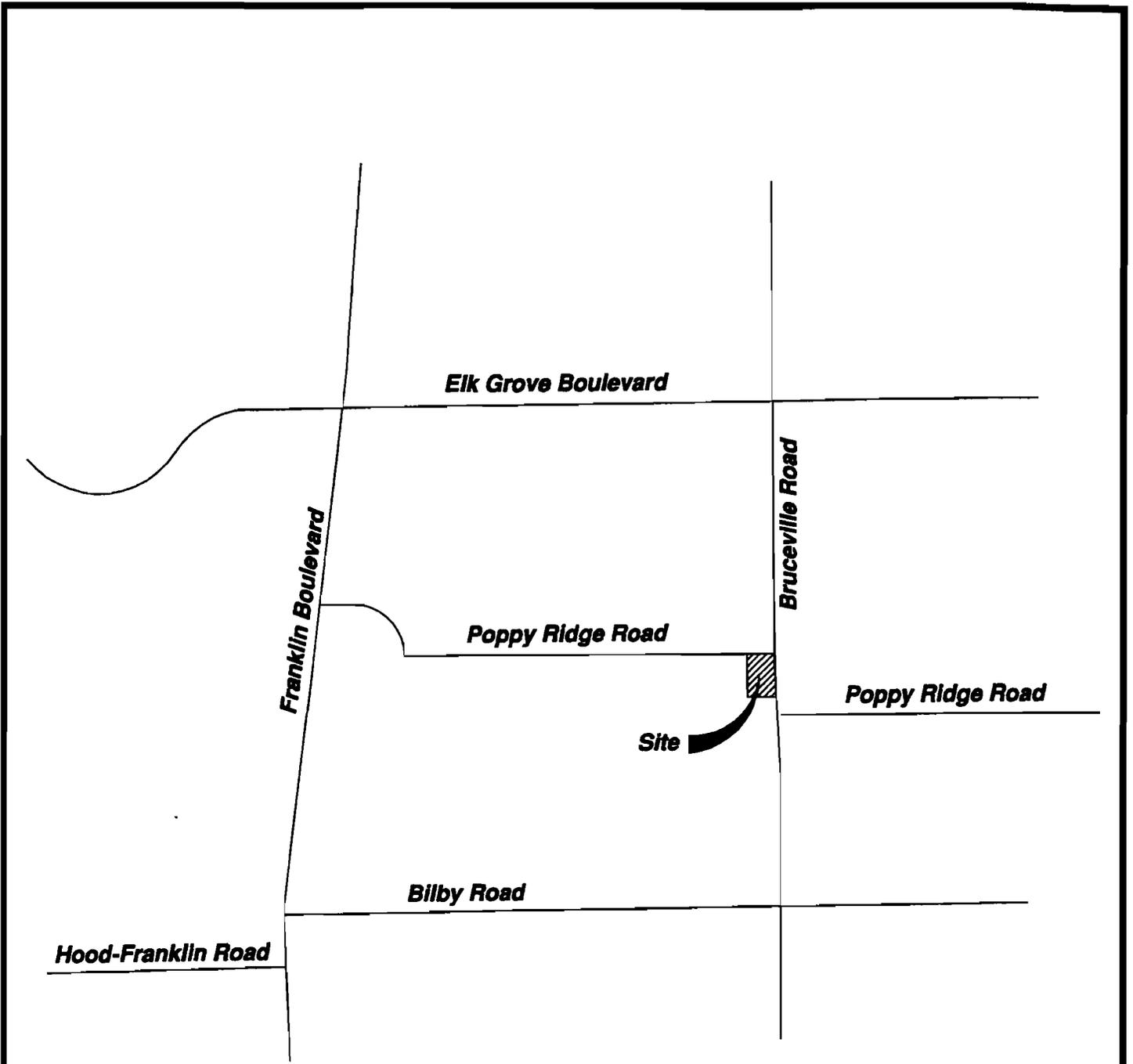
Dated: 10/13/03

Robert M. Plank
Robert M. Plank, L.S. 5760



M:\Descriptions\7000\7686-50\
Poppy Ridge Plaza.doc
10-13-03 RMP
Page 1 of 2

Prepared by the firm of
MacKay & Soms Civil Engineers, Inc
Sacramento, California



Poppy Ridge Plaza

December 1, 2003

Not to Scale

Vicinity Map

L 111111 A

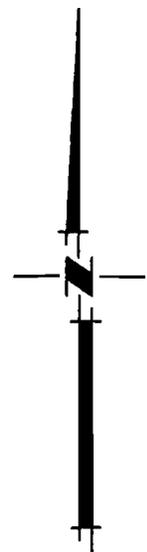
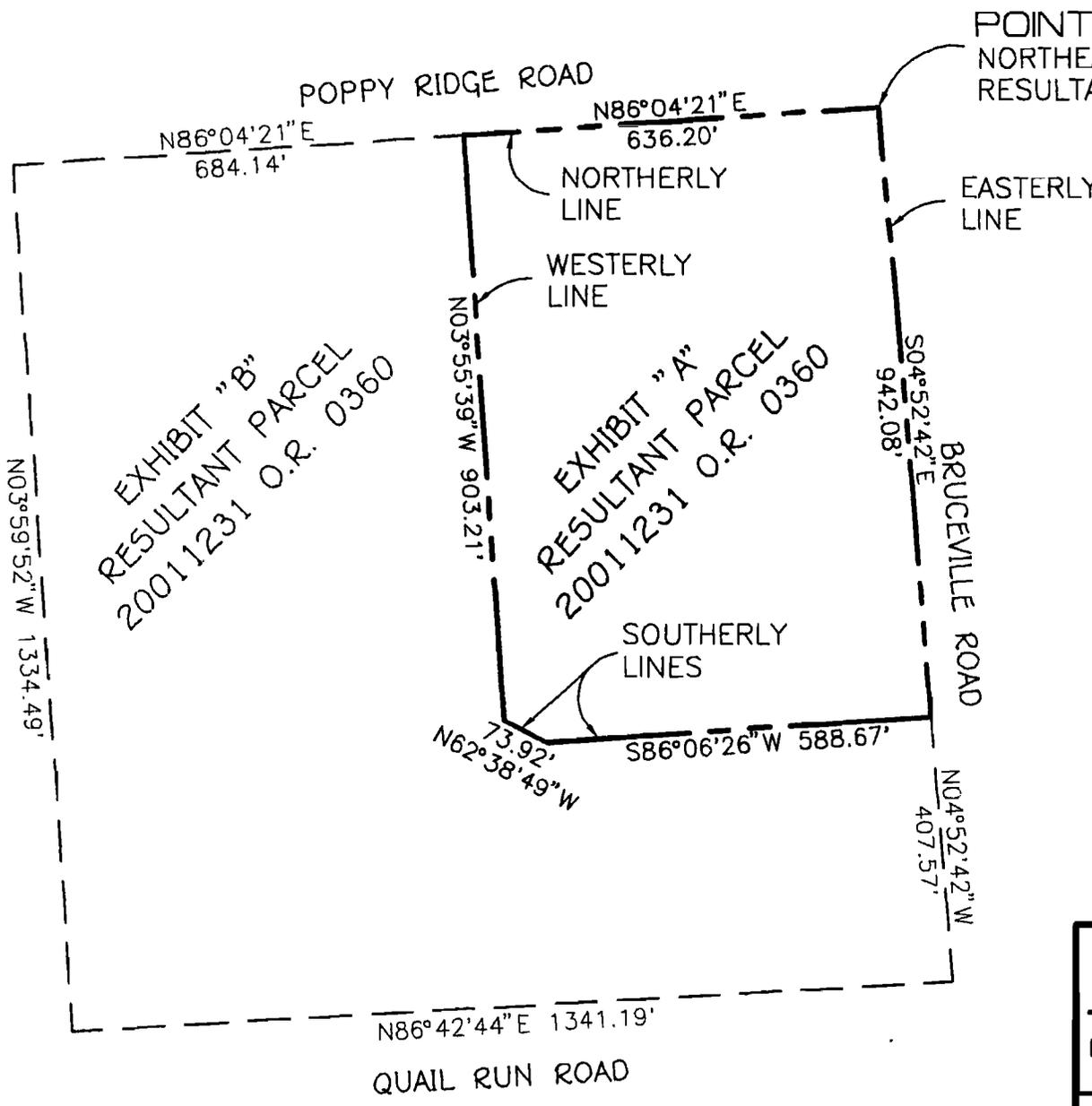


EXHIBIT "B"

Plat to Accompany Description
POPPLY RIDGE PLAZA
 "EXHIBIT A, RESULTANT PARCEL OF
 BOOK 20011231, PAGE 0360, O.R.
 Sacramento County California

MACKAY & SOMPS
 CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING
 SACRAMENTO, CA. 95815 (916) 929-6092

10-13-2003 08:46:43 M:\7000\7600\7696\maps\exhibits\PoppyRidgePlaza-exh.dwg
 There are no references in this drawing.



DESCRIPTION

Real property in the City of Elk Grove, County of Sacramento, State of California as described as follows:

All that certain real property situate in the East One-Half of the Southwest One-Quarter of Section 9, Township 6 North, Range 5 East, Mount Diablo Meridian, City of Elk Grove, County of Sacramento, State of California, and being further described as being the Lands of D.R. Horton, Inc.-Sacramento as described in Book 20030403, at Page 1884, Official Records of Sacramento County, and being further described as follows:

Beginning at a point situate on the South line of the Southwest One-Quarter of said Section 9, from which a found nail and shiner accepted as the Southwest corner of said Section 9 as shown on that certain Final Map entitled "ELK GROVE MEADOWS UNIT NO. 1" filed for record in Book 305 of Maps at Page 7, Sacramento County Records bears South 89°13'59" West a distance of 1323.31 feet; thence from the **TRUE POINT OF BEGINNING**, leaving the South line of the Southwest One-Quarter of Section 9, North 00°21'54" West a distance of 2641.92 feet to a point situate on the North line of said Southwest One-Quarter of said Section 9; thence along said North line, North 89°12'45" East a distance of 977.44 feet; thence leaving said North line, South 00°47'31" East a distance of 1.98 feet to a point of curvature; thence from a radial line which bears North 00°47'07" West, 83.19 feet along the arc of a non-tangent 58.00 foot radius curve to the right through a central angle of 82°10'47"; thence South 08°36'22" East a distance of 75.87 feet to a point of curvature; thence 282.46 feet along the arc of a tangent 145.00 foot radius curve to the left through a central angle of 111°36'42" to a point of reverse curvature; thence 38.24 feet along the arc of a tangent 248.00 foot radius curve to the right through a central angle of 08°50'03"; thence South 00°24'54" East a distance of 62.57 feet; thence North 65°05'02" East a distance of 27.46 feet to a point situate on the East line of said Southwest One-Quarter of said Section 9; thence along said East line, South 00°24'43" East a distance of 153.57 feet; thence leaving said East line, South 72°22'48" West a distance of 26.39 feet to a point of curvature; thence 58.25 feet along the arc of a tangent 2034.00 foot radius curve to the right through a central angle of 01°38'27"; thence South 74°01'15" West a distance of 231.09 feet to a point of curvature; thence 502.32 feet along the arc of a tangent 466.00 foot radius curve to the left through a central angle of 61°45'43" to a point of compound curvature; thence 35.45 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 101°33'07"; thence 3.47 feet along the arc of a tangent 400 foot radius curve to the left through a central angle of 00°29'48"; thence South 00°12'37" West a distance of 40.00 feet to a point of curvature; thence from a radial line which bears South 00°12'37" West, 12.36 feet along the arc of a non-tangent 440.00 foot radius curve to the left through a central angle of 01°36'34" to a point of reverse curvature; thence 31.38 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 89°54'19" to a point of compound curvature; thence 18.54 along the arc of a tangent 446 foot radius curve to the left through a central angle of 02°16'44"; thence South 00°21'52" East a distance of 141.41 feet to a point of curvature; thence 31.42 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 90°00'00"; thence North 89°38'08" East a distance of 6.00 feet; thence South 00°21'52" East a distance of 40.00 feet; thence South 89°38'08" West a distance of 6.00 feet to a point of curvature; thence 31.42



feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 90°00'00"; thence South 00°21'52" East a distance of 160.00 feet to a point of curvature; thence 31.42 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 90°00'00"; thence North 89°38'08" East a distance of 6.00 feet; thence South 00°21'52" East a distance of 40.00 feet; thence South 89°38'08" West a distance of 6.00 feet to a point of curvature; thence 31.42 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 90°00'00"; thence South 00°21'52" East a distance of 155.00 feet to a point of curvature; thence 39.27 feet along the arc of a tangent 25.00 foot radius curve to the left through a central angle of 90°00'00"; thence North 89°38'08" East a distance of 6.00 feet; thence South 00°21'52" East a distance of 50.00 feet; thence South 89°38'08" West a distance of 6.00 feet to a point of curvature; thence 39.27 feet along the arc of a tangent 25.00 foot radius curve to the left through a central angle of 90°00'00"; thence South 00°21'52" East a distance of 75.00 feet; thence North 89°38'08" East a distance of 405.30 feet; thence South 00°24'43" East a distance of 35.27 feet; thence South 01°55'01" West a distance of 54.59 feet; thence South 26°11'29" West a distance of 61.17 feet to a point of curvature; thence from a radial line which bears North 26°11'29" East, 74.95 feet along the arc of a non-tangent 280.00 foot radius curve to the right through a central angle of 15°20'10" to a point of reverse curvature; thence 32.93 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 94°19'49" to a point of compound curvature; thence 43.31 feet along the arc of a tangent 186.00 foot radius curve to the left through a central angle of 13°20'32"; thence South 66°08'42" East a distance of 171.60 feet to a point situate on the East line of said Southwest One-Quarter of said Section 9; thence along East line, South 00°24'43" East a distance of 675.89 feet to the South One-Quarter corner of said Section 9; thence along the South line of the Southwest One-Quarter of said Section 9, South 89°13'59" West a distance of 795.25 feet; thence leaving said South line, North 00°46'01" West a distance of 208.45 feet; thence South 89°13'59" West a distance of 209.00 feet; thence South 00°46'01" East a distance of 208.45 feet to a point situate on said South line of said Southwest One-Quarter of said Section 9; thence along said South line, South 89°13'59" West a distance of 319.05 feet.

Containing 59.056 acres of land, more or less.

APN: 132-0020-160

VICINITY MAP

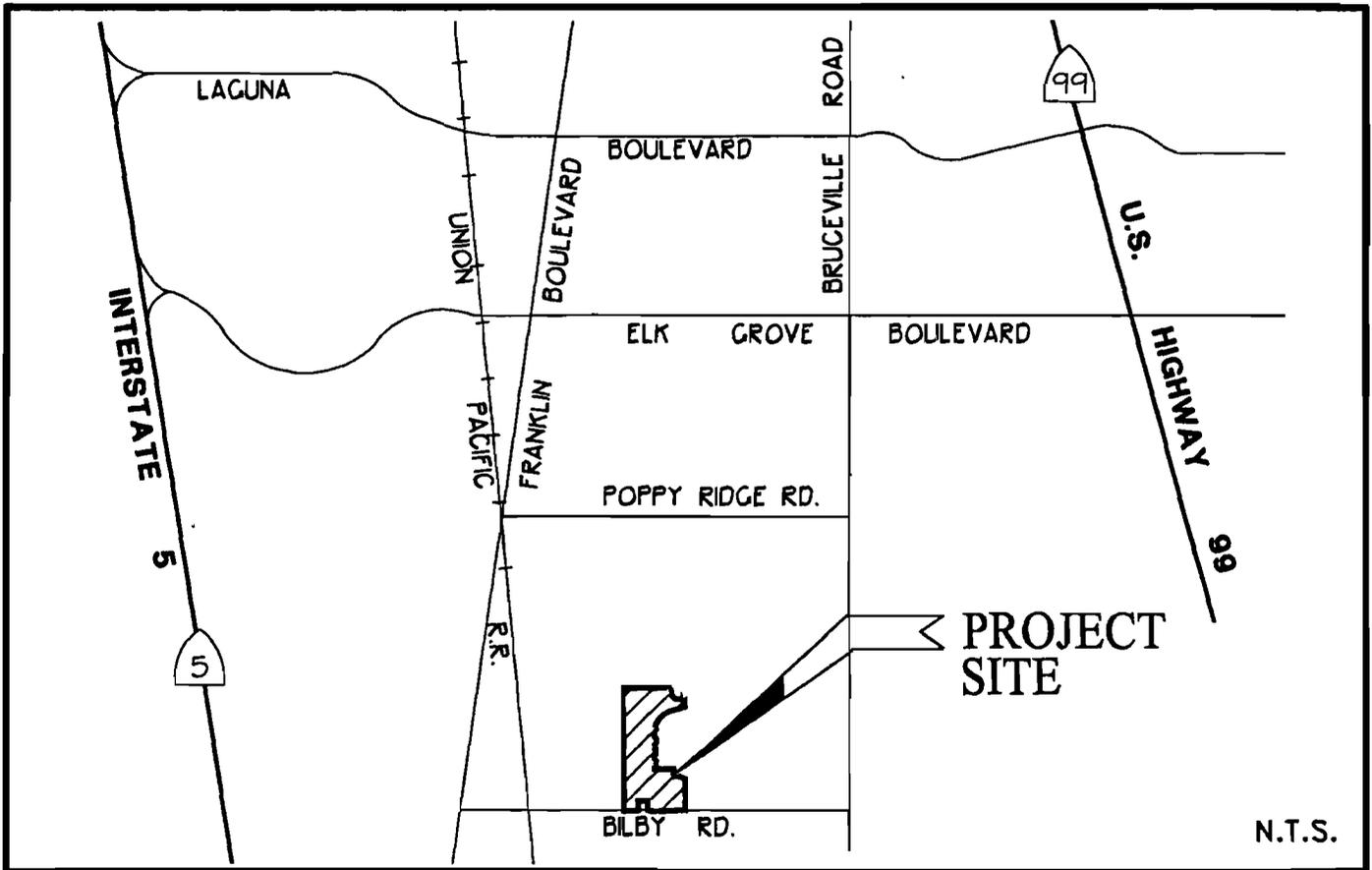
BILBY MEADOWS UNIT 1

D.R. HORTON, INC. - SACRAMENTO

ELK GROVE

CALIFORNIA

OCTOBER 2003



LOCATION MAP



WOOD RODGERS
ENGINEERING • MAPPING • PLANNING • SURVEYING

3301 C St., Bldg. 100-B Tel 916.341.7760
Sacramento, CA 95816 Fax 916.341.7767



WOOD RODGERS

DESCRIPTION

Real property in the City of Elk Grove, County of Sacramento, State of California as described as follows:

Being a portion of the Lands of WL Southmeadow Associates, L.P., herein after SOUTHMEADOW, as described in Book 20030801, at Page 1663, Official Records of Sacramento County, being further described as:

Beginning at a point situate on the West line of SOUTHMEADOW, from which a found nail and shiner accepted as the Northeast corner of said Section 17 as shown on that certain Final Map entitled "ELK GROVE MEADOWS UNIT NO. 1" filed for record in Book 305 of Maps at Page 7, Sacramento County Records, bears South 12°48'20" West a distance of 1452.64 feet; thence from said **TRUE POINT OF BEGINNING** along said West line, North 00°19'05" West a distance of 393.04 feet; thence North 68°33'57" West a distance of 237.59 feet to a point of curvature; thence from a radial line which bears South 50°37'43" East, 268.81 feet along the arc of a non-tangent 388.00 foot radius curve to the left through a central angle of 39°41'41"; thence North 00°19'24" West a distance of 239.88 feet to a point of curvature; thence from a radial line which bears North 78°06'57" West, 151.44 feet along the arc of a non-tangent 112.00 foot radius curve to the right through a central angle of 77°28'14"; thence North 89°21'17" East a distance of 367.64 feet to a point of curvature; thence from a radial line which bears South 89°24'39" East, 176.13 feet along the arc of a non-tangent 530.00 foot radius curve to the right through a central angle of 19°02'26" to a point of reverse curvature; thence 163.17 feet along the arc of a tangent 470.00 foot radius curve to the left through a central angle of 19°53'30"; thence South 00°15'44" East a distance of 93.53 feet to a point of curvature; thence 161.46 feet along the arc of a tangent 530.00 foot radius curve to the right through a central angle of 17°27'19" to a point of reverse curvature; thence 29.63 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 84°53'34" to a point of compound curvature; thence 85.63 feet along the arc of a tangent 220.00 foot radius curve to the left through a central angle of 22°18'00"; thence East a distance of 478.67 feet to a point of curvature; thence 51.62 feet along the arc of a tangent 220.00 foot radius curve to the left through a central angle of 13°26'42" to a point of reverse curvature; thence 88.84 feet along the arc of a tangent 430.00 foot radius curve to the right through a central angle of 11°50'13"; thence North 88°23'32" East a distance of 18.72 feet to the East line of SOUTHMEADOW; thence along said East line, South 00°21'54" East a distance of 450.70 feet; thence leaving said East line, South 89°38'08" West a distance of 104.98 feet; thence North 00°21'52" West a distance of 42.37 feet; thence South 89°38'08" West a distance of 40.00 feet; thence West a distance of 64.73 feet; thence South 81°06'45" West a distance of 55.67 feet; thence South 84°28'04" West a distance of 55.26 feet; thence West a distance of 505.47 feet; thence South 89°40'55" West a distance of 62.00 feet; thence South 00°19'05" East a distance of 29.07 feet; thence South 89°40'55" West a distance of 105.00 feet to the True Point of Beginning.

APN: 132-0020-052/053
132-0020-141 (Portion)

VICINITY MAP

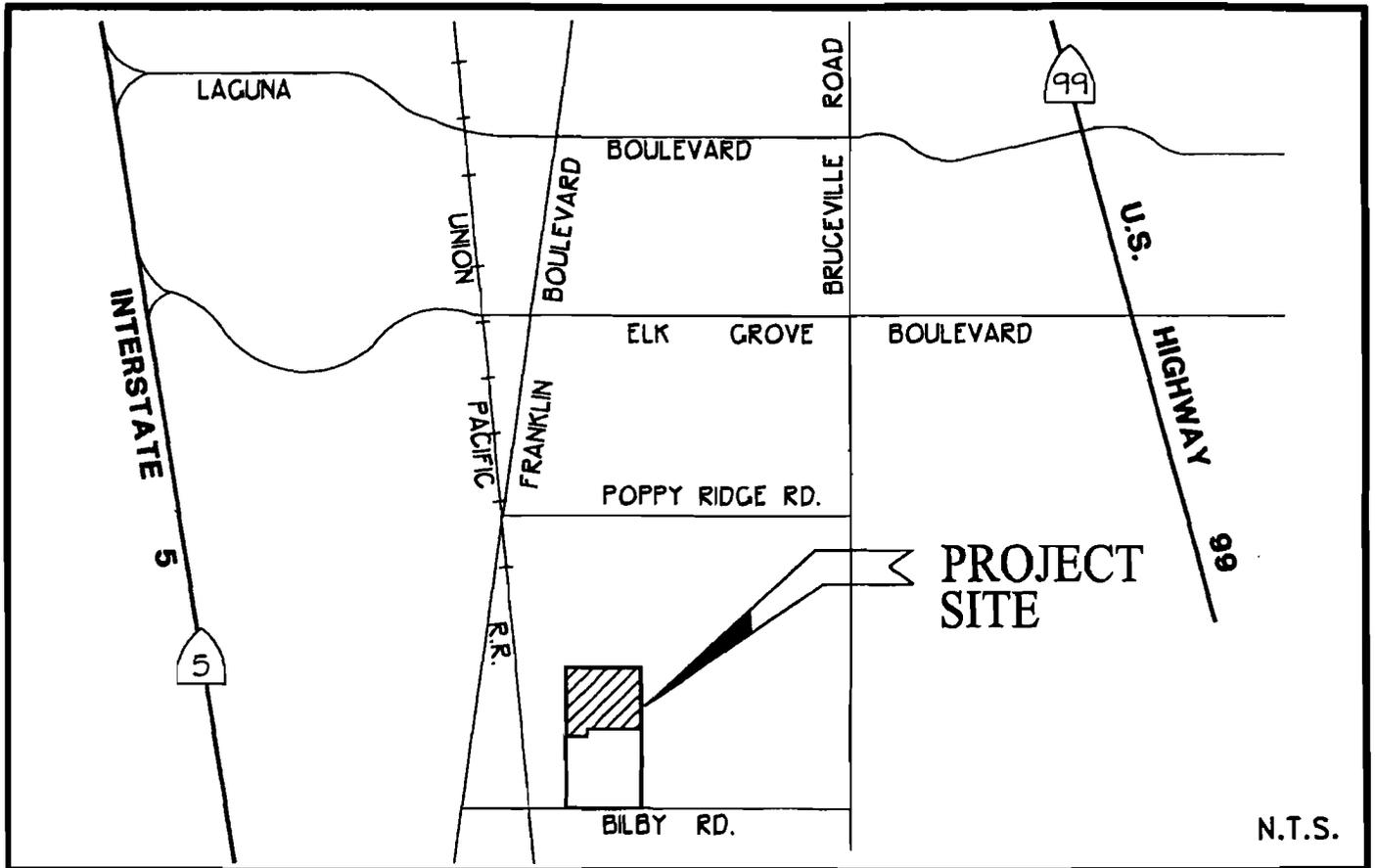
SOUTHMEADOWS UNIT 2

WL SOUTHMEADOW ASSOCIATES, L.P.

ELK GROVE

CALIFORNIA

OCTOBER 2003



LOCATION MAP



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3301 C St., Bldg. 100-B
Sacramento, CA 95816

Tel 916.341.7760
Fax 916.341.7767

Form of Published and Mailed Notice

**CITY OF ELK GROVE
NOTICE OF HEARING ON
PROPOSED STORM DRAINAGE FEE**

Hearing. Notice is hereby given that on Wednesday, February 18, 2004, at 6:30 p.m., or as soon thereafter as the matter may be heard, at the City Hall, 8400 Laguna Palms Way, Elk Grove, California, the City Council of the City of Elk Grove shall hold a public hearing on the proposed levy of fees on Poppy Ridge Plaza, Bilby Meadows – Unit 1, and Southmeadows – Unit 2 to pay for the cost of storm drainage services.

Storm Drainage Fee. The amount of the proposed fee is based on each parcel's proportional share (based on the amount of stormwater runoff from the parcel) of the cost of operating and maintaining drainage facilities. The fees are calculated as follows:

- 1. A single-family residential parcel shall pay a monthly charge equal to the administrative charge + (unit service charge (USC) x 3,500 x each residential dwelling unit).**
- 2. All other non-exempt parcels shall pay a monthly charge equal to the administrative charge + (parcel area x USC x the impervious factor). The unit service charge shall be \$0.001583 per square foot of impervious area. The impervious factors shall be based on the following table:**

| Property Category | Impervious Factor |
|-----------------------------------|--------------------------|
| Commercial/office | 0.80 |
| Industrial | 0.70 |
| Multi-family residential | 0.60 |
| Institutional | 0.50 |
| Low impervious development | 0.10 |

Dated: December 31, 2003

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

Form of Ballot

OFFICIAL BALLOT
CITY OF ELK GROVE
STORM DRAINAGE FEE

Assessor's Parcel Number(s): _____

Name(s) of Property Owner(s): _____

Property Owner's Address: _____

Instructions For Completing and Delivering This Ballot

To express your view on the proposed storm drainage fee, place a check mark before the word "YES" or "NO," then sign and date the ballot. After completing your ballot, seal it in an envelope and mail or deliver this entire ballot to the City Clerk at 8380 Laguna Palms Way, Elk Grove, California, 95758.

Ballots may be sent or delivered to the City Clerk at any time, but MUST be received not later than 4:00 p.m. on Monday, April 5, 2004 the time set for the election. If all ballots are received prior to that date and time, the City Clerk will close the election and tabulate the ballots.

PLEASE EXPRESS YOUR VIEW BY MARKING AND SIGNING BELOW

___ Yes, I/we approve the proposed storm drainage fee that was described in the notice of hearing dated December 31, 2003.

___ No, I/we do not approve the proposed storm drainage fee.

I/we hereby declare under penalty of perjury that I am/we are the record owner(s) of the parcel(s) listed above.

Signature of Record Owner

Date

Signature of Record Owner

Date