## **RESOLUTION NO. 2024-132**

## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING THE FINAL MAP FOR BACKER PHASE 1 SUBDIVISION (SUBDIVISION NO. 10-020.06.01) AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SUBDIVISION IMPROVEMENT AGREEMENT (CEQA EXEMPT)

**WHEREAS**, the City of Elk Grove Planning Commission approved the Tentative Subdivision Map (TSM) for the Madeira South Subdivision Project on November 16, 2006, and subsequently approved amendments to the TSM Conditions of Approval in 2007, 2010, and 2018; and

WHEREAS, staff has reviewed the Final Map for Madeira South, Village 6, now known as Backer Phase 1 Subdivision (Subdivision No. 10-020-06.01) and finds it technically correct and that all applicable Final Map conditions of approval have been satisfied; and

**WHEREAS**, a Subdivision Improvement Agreement (SIA) for the Final Map has been approved as to form by the City Attorney and bonds have been posted to the City for the construction of the required improvements; and

WHEREAS, the Final Map is statutorily exempt from the California Environmental Quality Act (CEQA) Statutory Exemptions, Title 14 of the California Code of Regulations Section 15268(b)(3) Ministerial Projects, Approval of Final Subdivision Maps, and a Notice of Exemption will be filed with the Sacramento County Recorder after the filing of this map.

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

- Finds the location and configuration of the lots to be created by the Final Map for Backer Phase 1 Subdivision (Subdivision No. 10-020.06.01) substantially comply with the previously approved Tentative Subdivision Map; and
- Finds the Final Map is statutorily exempt from the California Environmental Quality Act (CEQA), Statutory Exemptions, Title 14 of the California Code of Regulations Section 15268(b)(3) Ministerial projects, Approval of Final Subdivision Maps; and
- 3) Pursuant to Government Code Section 66458, approves the Final Map for the Backer Phase 1 Subdivision (Subdivision No. 10-020.06.01), a copy of which is attached as Exhibit A and made part of this Resolution by reference, and directs the City Clerk to transmit the Final Map to the County Recorder of the County of Sacramento for filing; and
- 4) Authorizes the City Manager to execute the Subdivision Improvement Agreement by and between the City of Elk Grove and Beazer Homes Holdings, LLC, in substantially the form presented.

PASSED **AND ADOPTED** by the City Council of the City of Elk Grove this 14th day of August 2024

BOBBIE SINGH-ALLEN, MAYOR of the CITY OF ELK GROVE

ATTEST:

JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

JÓNATHAN P. HOBBS, CITY ATTORNEY

## **EXHIBIT A**

#### OWNER'S STATEMENT:

THE UNDERSIGNED DOES HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS FINAL MAP OF SUBDIVISION NO. 10-020.06.01, BACKER PHASE 1, AND THE OFFERS FOR DEDICATION AND DOES HEREBY DEDICATE THE FOLLOWING:

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE SIMPLE TO THE CITY OF ELK GROVE:

LOTS B AND C.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED TO THE CITY OF ELK GROVE AS EASEMENTS FOR PUBLIC PURPOSES

- AN EASEMENT FOR PUBLIC USE MAISY WAY, MOUNT PICO WAY, MORNING STAR WAY, AND SPOONWOOD AVENUE WITHIN THE BOUNDARIES OF THE MAP SHOWN HEREON FOR PUBLIC STREET PURPOSES.
- AN EASEMENT FOR PUBLIC UTILITY FOR PLANTING AND MAINTAINING TREES, INSTALLATION AND MAINTENANCE OF ELECTROLIERS. TRAFFIC CONTROL DEVICES, WATER AND GAS PIPES, AND FOR UNDERGROUND WIRES AND CONDUITS FOR ELECTRICAL TELEPHONE AND TELEVISION SERVICES, TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THERETO ON, OVER, UNDER AND ACROSS THOSE STRIPS OF LAND LYING ADJACENT TO THE PUBLIC AVENUES, CIRCLES, COURTS, DRIVE, ROAD, STREETS AND WAYS AS SHOWN HEREON AND DESIGNATED AS "PUBLIC UTILITY EASEMENT" (PUE).
- THE FOLLOWING IS A DEDICATION OF ACCESS RIGHTS: THE EXCLUSIVE RIGHT OF VEHICULAR INGRESS AND/OR EGRESS IS GRANTED TO THE CITY OF ELX GROVE ACROSS THE LOT LINES SHOWN HEREON AND DESIGNATED TWO INGRESS OR EGRESS RIGHT.

LOT A IS HEREBY RESERVED FOR FUTURE DEVELOPMENT

THIS MAP SHOWS OR NOTES ALL EASEMENTS OF RECORD, WITHIN THE BOUNDARY LINES OF THE HEREIN EMBODIED MAP.

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE EXECUTED THIS STATEMENT ON THE 2.1 DAY OF

AS OWNERS: KL LB BUY 2 LLC, A DELAWARE LIMITED LIABILITY COMPANY

NAME: Nathon Holt

TITLE Authorized Signatory

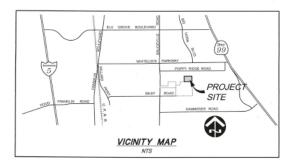
### SUBDIVISION NO. 10-020.06.01 **BACKER PHASE 1**

BEING A SUBDIVISION OF RESULTANT PARCEL 1. RECORDED IN DOCUMENT NUMBER 202004300967, SACRAMENTO COUNTY RECORDS CITY OF ELK GROVE

SACRAMENTO COUNTY, CALIFORNIA

**MACKAY & SOMPS** 

MAY 2024



#### OPTIONEE STATEMENT:

BEAZER HOMES HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OPTIONEE UNDER THE DOCUMENT RECORDED APRIL 3, 2024 AS DOCUMENT NUMBER 202404030862, SACRAMENTO COUNTY RECORDS, HERBBY CONSENTS TO THE MANING AND FLING OF THIS MAP.

BEAZER HOMES HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY

718 124

BY: Lucas C. Wissmann

rs: President Divisional - Northern California

#### NOTARY'S ACKNOWLEDGMENT:

WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

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 CALLED STATE COUNTY OF MORCOPCE )

ON STORY 2024, BEFORE ME CASE OF THE PRESONALLY APPEARED NOTARY PUBLIC, WHO PROVED TO ME ON THE BASIS OF BATISFACTORY EVIDENCE TO SE THE PERSONS), WHOSE NAMES, ISSARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HESINETHEY EVECUTED THE SAME IN HISHERTHEIR AUTHORITY OF A WARD THAT HESINETHEY EVECUTED THE SAME IN HISHERTHEIR AUTHORITY OF THE SAME IN HISHERTHEIR AUTHORITY OF THE SAME IN HISHERTHEIR SIGNATURES) ON THE INSTRUMENT THE PERSONS), OR ENTITY UPON BEHALF OF MARCH THE PERSONS AUTHORITY EVELVIETED THE MESTER BASIS

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CHARGE THAT THE FOREGOING PARAGRAPH IS

WITNESS MY HAND AND OFFICIAL SEAL:

Meredith Leyton Mencipa Antona

PRINCIPAL PLACE OF BUSINESS: Mancapa Courty.

COMMISSION EXPIRES: 114/26 COMMISSION # OF NOTARY: (3)706



M.

#### NOTARY'S 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 Placer

ON JULY 8 TO NOTARY PUBLIC, PERSONALLY APPEARED LUCAS C. WISSTROM

PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS; WHOSE NAME(S) ISLARE SUBSCRIBED TO THE PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS; WHOSE NAME(S) ISLARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HEISPITHEY EXECUTED THE SAME IN HISHERTHER AUTHORIZED CAPACITY(IES), AND THAT BY HISHERTHERS ISINATURE(S) ON THE INSTRUMENT THE PERSON(S), OR ENTITY UPON SEHALF OF WAILING THE PERSON(S). 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

WITNESS MY HAND AND OFFICIAL SEAL:

Inna Miller, Notary Public
PRINTED NAME, NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

PRINCIPAL PLACE OF BUSINESS: Sacramento County

COMMISSION EXPIRES: June 30, 2026

COMMISSION # OF NOTARY: 2406801

#### CITY ENGINEER'S STATEMENT:

I, HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF SUBDIVISION NO. 10-020.06.01, BACKER PHASE 1, AND FIND THAT IT SUBSTANTIALLY COMPUES WITH THE TENTATIVE MAP APPROVED BY THE CITY COUNCIL OF THE CITY OF ELK GROVE ON SEPTEMBER 23, 2005 AND ANY APPROVED ALTERATIONS THEREOF, THAT ALL APPLICABLE PROVISIONS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES HAVE BEEN COMPLIED WITH.

KRISTIN J. PARSONS, CITY ENGINEER CITY OF ELK GROVE, CALIFORNIA RCE NO 55702

DATED:



#### CITY CLERK'S STATEMENT:

I. JASON LINDGREN, CITY CLERK OF THE CITY OF ELK GROVE, HEREBY STATE THAT THE CITY COUNCIL OF THE CITY OF ELK GROVE HAS APPROVED THIS FINAL MAP OF SUBDIVISION NO. 10-020.06.01, BACKER PHASE 1, ACCEPTED ON BEHALF OF THE PUBLIC, SUBJECT TO IMPROVEMENT, MAISY WAY, MOUNT PICO WAY, MORNING STAR WAY, AND SPOONWOOD AVENUE FOR PUBLIC STREET PURPOSES, ACCEPTED THE PUBLIC UTILITY EASEMENTS, ACCEPTED THE DEDICATION OF THE INGRESS AND EGRESS RIGHTS, ACCEPTED LOTS B AND C IN FEE SIMPLE ALL AS OFFERED HEREON AND IN ACCORDANCE WITH GOVERNMENT CODE 66434(g) AND 66499.20.2 OF THE SUBDIVISION MAP ACT, THE IRREVOCABLE OFFERS OF DEDICATION RECORDED IN DOCUMENT NUMBER 202110061311 ARE HEREBY ABANDONED IN THEIR ENTIRETY

JASON LINDGREN, CITY CLERK CITY OF FLK GROVE CALIFORNIA



#### RECORDER'S STATEMENT:

FILED FOR RECORD THIS DAY OF , 2024 AT M., IN BOOK OF MAPS AT PAGE , AT THE REQUEST OF MACKAY & SOMPS CIVIL ENGINEERS, INC. TITLE TO THE LAND INCLUDED IN PAGE \_\_\_\_\_\_ AT THE REQUEST OF MACKAY & SOI THIS FINAL MAP BEING VESTED AS PER CERTIFICATE NO. ON FILE IN THIS OFFICE.

RECORDER OF SACRAMENTO COUNTY STATE OF CALIFORNIA

FEE:\$\_\_\_

DOCUMENT NO.:\_

SHEET 1 OF 5

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Ion MacDonald P:\25233\SRV\MAPPING\FM\BACKER\PHASE 1\25233.BAC-FM01-02.DWG

## SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES AT THE REQUEST OF BEAZER HOMES IN AUGUST 2023. HEREBY STATE THAT ALL THE MONIMENTS ARE OF THE CHARACTER AND OCCUPY POSTIONS MONCATED OR WILL BE SET IN THOSE POSTIONS WITHIN TWELLY MONTHS FROM RECORDATION OF THIS FINAL MAP, AND THE COMPLETION OF IMPROVEMENTS, AND THAT THE MORNMENTS ARE OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

TOTAL AREA OF THIS SUBDIVISION IS 17.39 ACRES, CONSISTING OF 75 RESIDENTIAL LOTS TOTALING 9.56 ACRES, 2 LANDSCAPE AND PARK, LOTS TOTALING 1.11 ACRES, 1 LOT FOR FUTURE DEVELOPMENT TOTALING 3.31 ACRES, AND STREET RIGHT OF WAY TOTALING 3.41 ACRES.

IAN BRUCE MACDONALD LS NO. 8817

## CITY SURVEYOR'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS SUBDIVISION NO. 10-020.06.01 BACKER PHASE 1, AND FIND IT TO BE TECHNICALLY CORRECT.

JOCELYN L. LIMAS, CITY SURVEYOR LS NO. 9596

DATED:



## SOILS REPORT NOTE:

A GEOTECHNICAL REPORT UPDATE, HAS BEEN PREPARED BY UNIVERSAL ENGINEERING SCIENCES, DATED JUNE 28, 2024, WKA NO. 4590 2300055.0000. A COPY OF THIS REPORT IS ON FILE FOR PUBLIC INSPECTION AT THE DEVELOPMENT SERVICES DEPARTMENT OF THE CITY OF ELK GROVE.

# BACKER PHASE 1

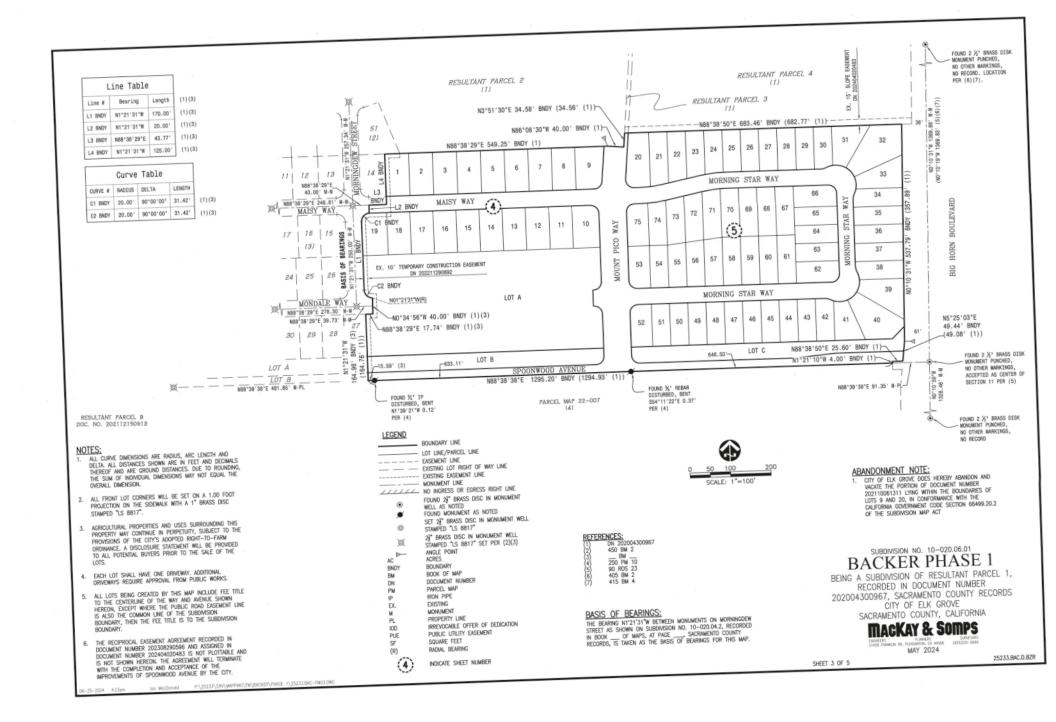
BEING A SUBDIVISION OF RESULTANT PARCEL 1, RECORDED IN DOCUMENT NUMBER
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CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA

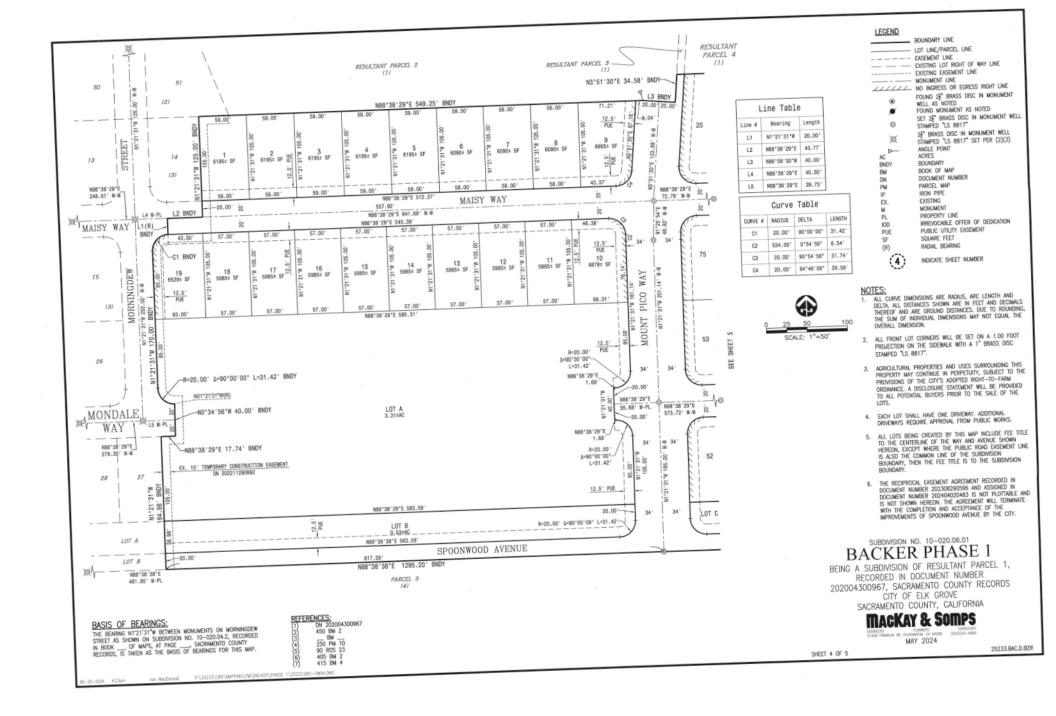
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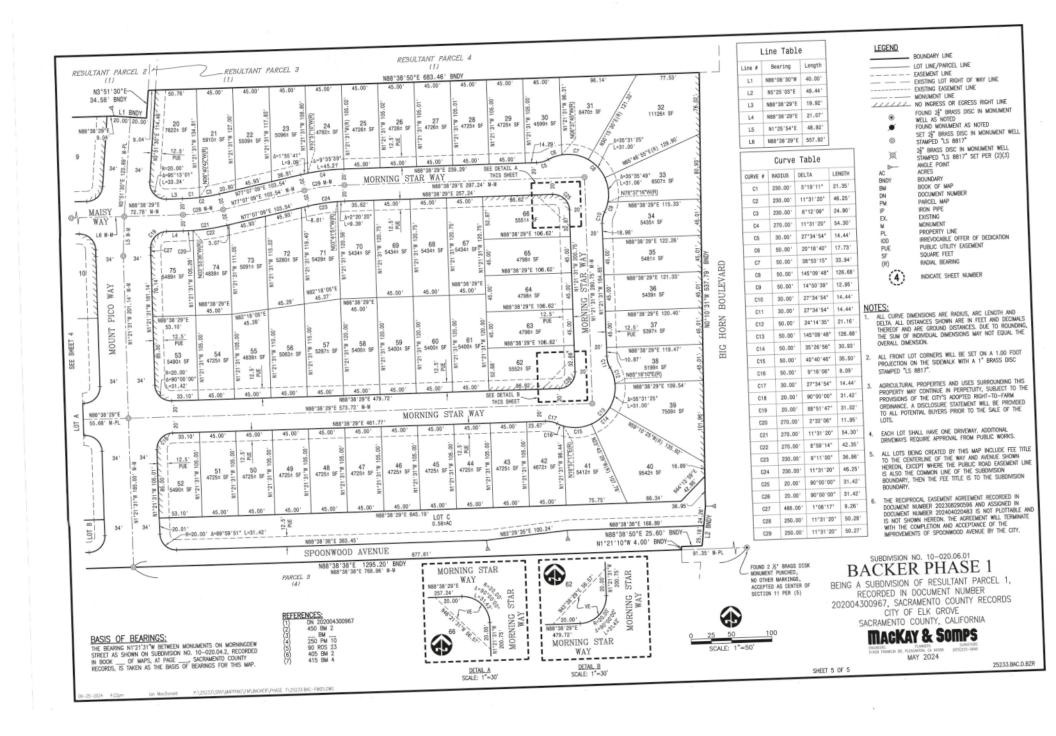
DIGNEES 9/18/10/05 9/18/10/05 514/28 FRANKLIN DR. PLEASANTON, CA 94/588 (925)215-08/00 MAY 2024

SHEET 2 OF 5

25233.BAC.D.BZR







## CERTIFICATION ELK GROVE CITY COUNCIL RESOLUTION NO. 2024-132

| 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 August 14, 2024 by the following vote:

AYES: COUNCILMEMBERS: Singh-Allen, Brewer, Robles, Spease, Suen

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

Mason Lindgren, City Clerk City of Elk Grove, California