

RESOLUTION NO. 2025-003

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A SET-ASIDE FOR ACCESS & MAINTENANCE EASEMENT PURPOSES AND A SET-ASIDE FOR PUBLIC UTILITY EASEMENT PURPOSES ON CITY-OWNED PROPERTY (APN 127-1110-007) TO SERVE THE ELLIOTT SPRINGS UNIT 2A SUBDIVISION (SUBDIVISION NO. 11-046.02) LOCATED AT THE NORTHWEST CORNER OF BOND ROAD AND WATERMAN ROAD (NO FURTHER CEQA ANALYSIS REQUIRED)

WHEREAS, on July 23, 2014, the City Council approved a Tentative Subdivision Map and Design Review for Subdivision Layout for the Silverado Village Project (EG-11-046), now known as the Elliott Springs Subdivision (Subdivision No. 11-046) for 660 single-family units and up to 125 independent/assisted living/memory care units. and

WHEREAS, on October 13, 2021, the City Council approved Amendments to the Tentative Subdivision Map (TSM) conditions of approval for the Elliott Springs Subdivision (the Project); and

WHEREAS, on August 30, 2022, the City of Elk Grove (City) acquired the property identified as Assessor Parcel Number (APN) 127-1110-007 (City Parcel) as part of the Elliott Springs Unit 1 Subdivision; and

WHEREAS, Brockington Street, adjacent to the City Parcel, is being dedicated and improved with the Elliott Springs Unit 2A Subdivision; and

WHEREAS, approving a set-aside for a public utility easement across the City Parcel will allow for the orderly installation and connection of necessary utilities adjacent to Brockington Street to serve the Elliott Springs Unit 2A Subdivision; and

WHEREAS, to allow for access to, and maintenance of, public facilities and utilities, an access and maintenance easement across the City Parcel is required to serve the Elliott Springs Unit 2A Subdivision; and

WHEREAS, the California Environmental Quality Act (Section 21000, et. seq. of the California Public Resources Code, hereafter CEQA) requires analysis of agency approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” The Project is defined as a project under CEQA; and

WHEREAS, an Environmental Impact Report (EIR) (SCH#2013012060) was prepared for the Project and certified by the City Council in July 2014.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby finds no further environmental review is required, pursuant to State CEQA Guidelines Section 15162, based upon the following finding:

Finding: The proposed set-aside for access and maintenance and public utility easement require no further environmental review pursuant to State CEQA Guidelines Section 15162.

Evidence: The Silverado Village Project (now known as the Elliott Springs Subdivision) was previously approved upon completion of an Environmental Impact Report (EIR, SCH#2013012060). Pursuant to State CEQA Guidelines Section 15162, no further environmental analysis is required unless certain qualifications, as listed in the Guidelines, have occurred, including changes to the project, changes in the circumstances under which the project was undertaken, or new information is available that was not reasonably known at the time the EIR was prepared. None of these qualifications exist and the proposed action implements the Project as previously analyzed. Therefore, no further environmental review is required.

AND, BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove hereby finds as follows:

- 1) The set-aside for public utility easement purposes over the City Parcel would be consistent with and not violate the General Plan and all elements and components thereof; and
- 2) The set-aside for access and maintenance easement purposes over the City Parcel would be consistent with and not violate the General Plan and all elements and components thereof; and
- 3) Public interest will be served by the set-asides described herein; and
- 4) The area as described in Exhibit A, legal description and plat, attached hereto and incorporated herein by reference, shall from this day forward be set aside for access and maintenance easement purposes and all uses incidental thereto under the terms and conditions described in Exhibit C, attached hereto and incorporated herein by reference; and
- 5) The area as described in Exhibit B, legal description and plat, attached hereto and incorporated herein by reference, shall from this day forward be set aside for public utility easement purposes and all uses incidental thereto under the terms and conditions described in Exhibit C, attached hereto and incorporated herein by reference; and
- 6) The City Council does hereby direct the City Clerk to cause a certified copy of this Resolution, including Exhibits A, B, and C, attested by the Clerk under seal, to be recorded in the office of the County Recorder of the County of Sacramento.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 8th day of January 2025




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

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

EXHIBIT 'A'
LEGAL DESCRIPTION FOR
ACCESS & MAINTENANCE EASEMENT

All that real certain property situated in the City of Elk Grove, County of Sacramento, State of California, being a portion of Lot I, as shown and so designated on that certain Final Map entitled "Final Map of Elliott Springs Unit 1", filed for record on August 30, 2022 in Book 440 of Maps, at Page 6, Sacramento County Records, being more particularly described as follows:

A strip of land 20.00 feet in width, as measured at right angles, lying 20.00 feet southwesterly of that certain line of said Lot I delineated on said Final Map as "N 63°20'49" E 136.51'".

The sidelines of said strip to be extended or shortened to meet at right angles and to terminate at the southeasterly line of said Lot I.

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

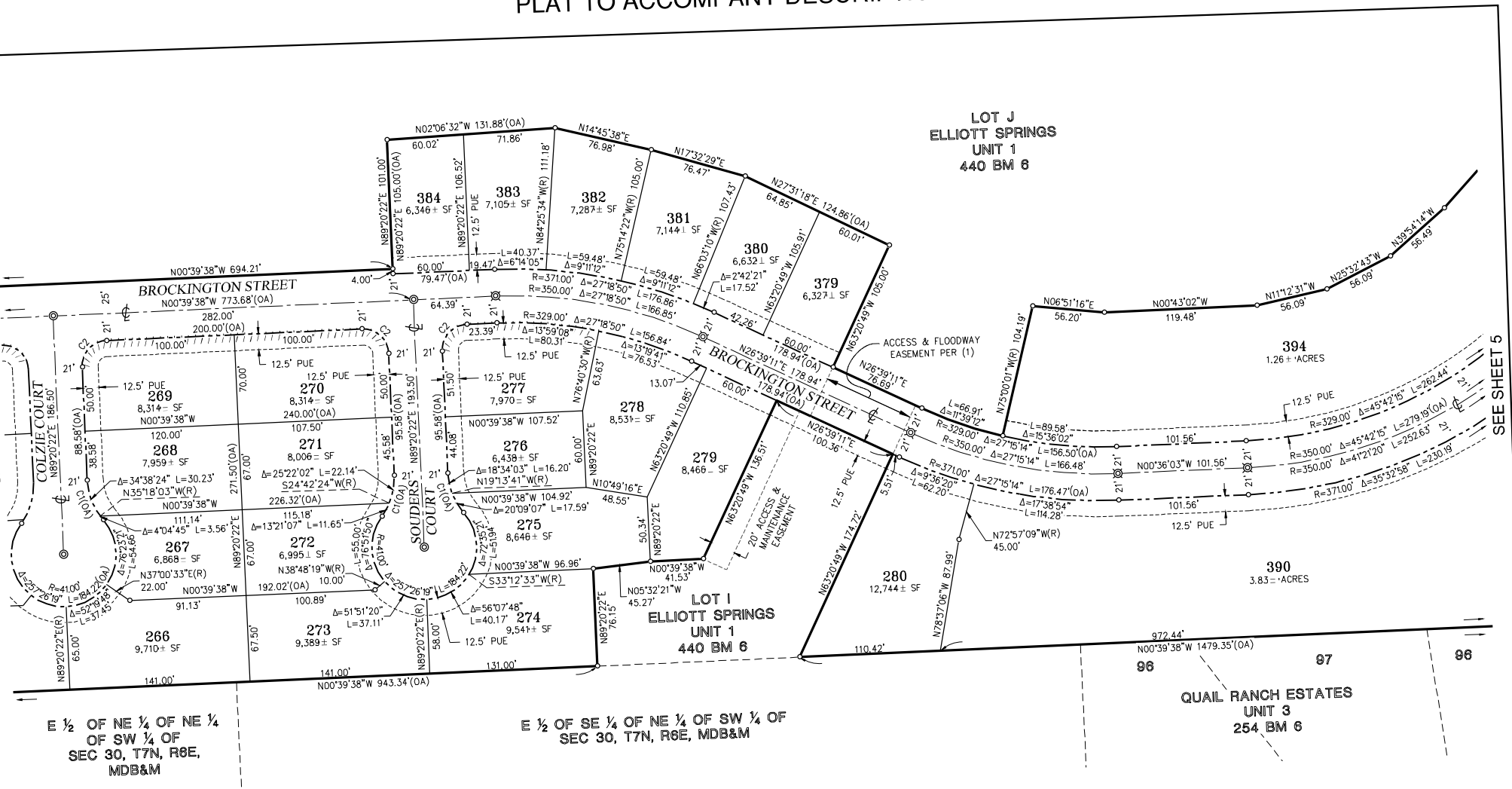
Craig E. Spiess, PLS 7944
License Expiration Date: 12/31/2025



PREPARED BY WOOD RODGERS, INC.
SACRAMENTO, CALIFORNIA

EXHIBIT 'A' PLAT TO ACCOMPANY DESCRIPTION

**LOT J
ELLIOTT SPRINGS
UNIT 1
440 BM 6**



E 1/2 OF NE 1/4 OF NE 1/4
OF SW 1/4 OF
SEC 30, T7N, R6E,
MDB&M

E 1/2 OF SE 1/4 OF NE 1/4 OF SW 1/4 OF
SEC 30, T7N, R6E, MDB&M

QUAIL RANCH ESTATES
UNIT 3
254 BM 6

CURVE TABLE - THIS SHEET ONLY

NO.	RADIUS	DELTA	LENGTH
C1	50.00'	38°43'09"	33.79'
C2	20.00'	90°00'00"	31.42'

FINAL MAP OF
**ELLIOTT SPRINGS
UNIT 2A**
SUBDIVISION NO. 11-046.02
ALL OF LOT 250 AS SHOWN ON THE
FINAL MAP OF ELLIOTT SPRINGS UNIT 1,
FILED FOR RECORD IN BOOK 440 OF MAPS, AT PAGE 6, S.C.R.
CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA



WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
3301 C ST. BLDG. 100-B TEL 916.341.7760
SACRAMENTO, CA 95816 FAX 916.341.7767

NOVEMBER 2024

Sheet 4 of 6

2741.006

SEE SHEET 2 FOR BASIS OF BEARINGS,
LEGEND, NOTES AND REFERENCES.

SEE SHEET 5

EXHIBIT 'B'
LEGAL DESCRIPTION FOR
PUBLIC UTILITY EASEMENT

All that real certain property situated in the City of Elk Grove, County of Sacramento, State of California, being a portion of Lot I, as shown and so designated on that certain Final Map entitled "Final Map of Elliott Springs Unit 1", filed for record on August 30, 2022 in Book 440 of Maps, at Page 6, Sacramento County Records, being more particularly described as follows:

A strip of land 12.50 feet in width, as measured at right angles, lying 12.50 feet northwesterly of that certain line of said Lot I delineated on said Final Map as "N 26°39'11" E 100.36' ".

The sidelines of said strip shall be extended or shortened as necessary to terminate on the northwesterly and southeasterly lines of said Lot I.

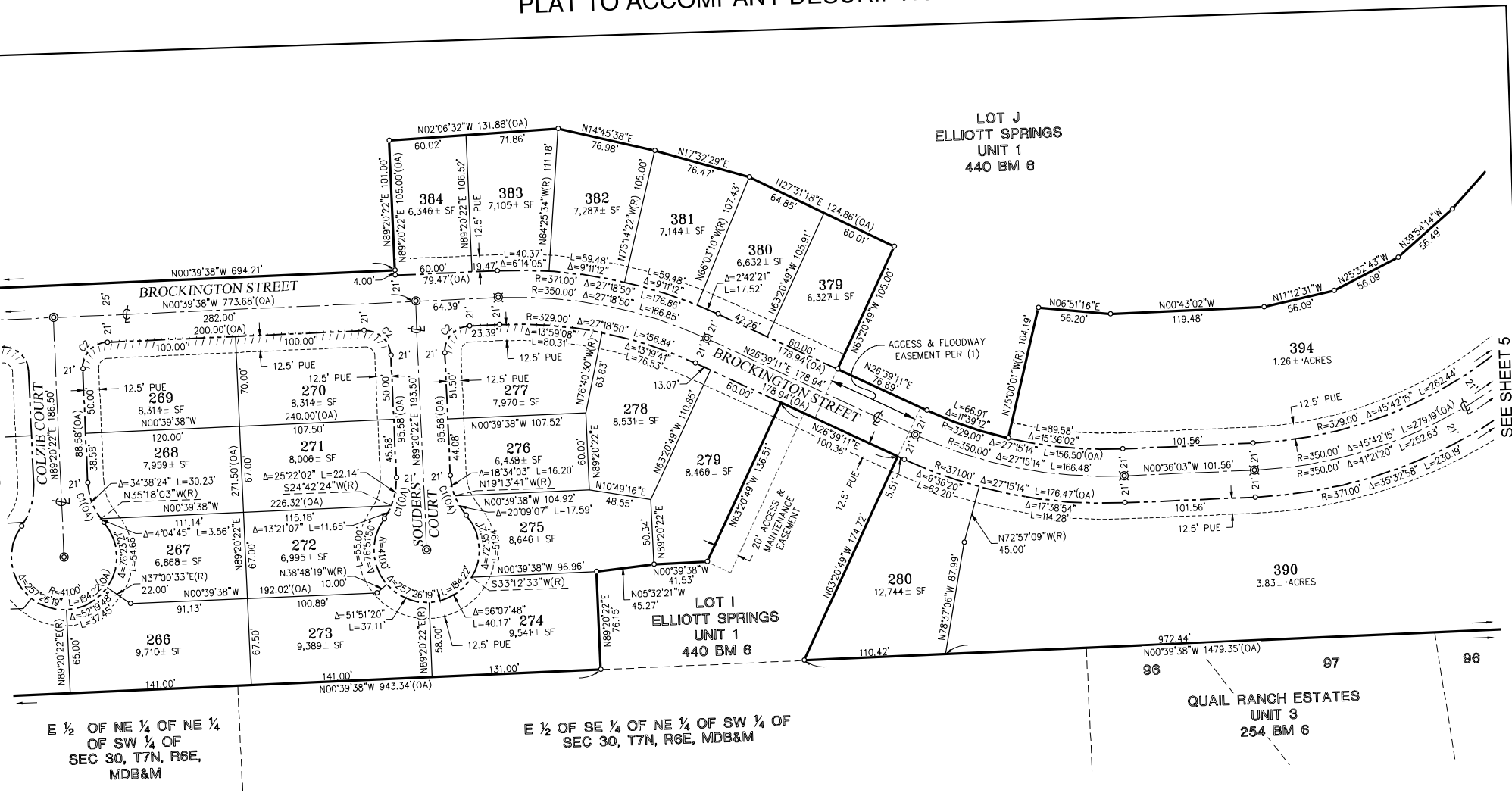
See Exhibit 'B', plat to accompany description, attached hereto and made a part hereof.

Craig E. Spiess, PLS 7944
License Expiration Date: 12/31/2025



PREPARED BY WOOD RODGERS, INC.
SACRAMENTO, CALIFORNIA

EXHIBIT 'B' PLAT TO ACCOMPANY DESCRIPTION



E 1/2 OF NE 1/4 OF NE 1/4
OF SW 1/4 OF
SEC 30, T7N, R6E,
MDB&M

E 1/2 OF SE 1/4 OF NE 1/4 OF SW 1/4 OF
SEC 30, T7N, R6E, MDB&M

CURVE TABLE - THIS SHEET ONLY

NO.	RADIUS	DELTA	LENGTH
C1	50.00'	38°43'09"	33.79'
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FINAL MAP OF ELLIOTT SPRINGS UNIT 2A

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ALL OF LOT 250 AS SHOWN ON THE
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Sheet 4 of 6

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SEE SHEET 5

EXHIBIT 'C'
**Terms and Conditions of Set-Aside for Access
and Maintenance Easement and Public Utility
Easement Purposes**

The City of Elk Grove does hereby delineate for access and maintenance purposes and public utilities purposes the set-aside areas as described in Exhibits A and B, attached hereto for use by any public utility provider (Provider) inclusive of digging, constructing, reconstructing, repairing, operating, upgrading and maintaining all necessary utilities and all appurtenances deemed necessary by said Provider on, under and across the real property as described, including the perpetual right of ingress and egress from said set-aside area, for the purpose of exercising and performing all of the rights and privileges herein granted, together with public facilities and appurtenances thereto deemed necessary by the City.

If the surface area of any portion of the set-aside area is disturbed by Provider's exercise of any of its Easement-related rights, such area shall be restored to the condition in which it existed prior to such disturbance.

To the fullest extent permitted by law, Provider shall indemnify, protect, defend, and hold harmless City, its officers, officials, agents, employees and volunteers from and against any and all claims and lawsuits, damages, demands, liability, costs, losses and expenses, including without limitation, court costs and reasonable attorneys' and expert witness fees, arising out of any failure to comply with applicable law, any injury to or death of any person(s), damage to property, loss of use of property, economic loss or otherwise arising out of the performance of the work described in this set-aside area, to the extent caused by a negligent act or negligent failure to act, errors, omissions, recklessness or willful misconduct incident to the performance of any utility work performed by Provider, except to the extent such loss or damage is caused by the sole negligence, or willful misconduct of the City.

The right to indemnity under this Section arises only upon occurrence of an event giving rise to a claim and or lawsuit(s) and, thereafter, upon tender in writing to Provider.

Nothing in this indemnity obligation shall be construed to create any duty to, any standard of care with reference to, or any liability or obligation, contractual or otherwise, to any third party.

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2025-003

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 January 8, 2025 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *Suen*



Jason Lindgren, City Clerk
City of Elk Grove, California