

RESOLUTION NO. 2005-272

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
DECLARING THE NECESSITY AND AUTHORIZING THE COMMENCEMENT OF
EMINENT DOMAIN PROCEEDINGS TO SECURE REAL PROPERTY INTERESTS
NECESSARY TO CONSTRUCT THE GRANT LINE ROAD/STATE ROUTE 99
INTERCHANGE RECONSTRUCTION PROJECT**

**Elk Grove Town Center, LLP
Portion of APN 134-0220-078**

WHEREAS, the improvement of the interchange of Grant Line Road and State Route 99 ("Project") holds a high priority in the City of Elk Grove Transportation Capital Improvement Program and acquiring the necessary right-of-way and real property interests is an important step in completing the Project; and

WHEREAS, as a part of the Project, it is necessary to acquire certain real property interests identified as a portion of APN 134-0220-078 ("Property") for the construction, operation and maintenance of right-of-way and related improvements along East Stockton Boulevard and Grant Line Road; and

WHEREAS, the City of Elk Grove has investigated and examined alternatives to the Project and the acquisition of the Property, and concluded that both the Project and acquisition of the Property for the Project are necessary; and

WHEREAS, the Property, which is the subject of this Resolution of Necessity, consists of the parcels identified and described and depicted in Exhibits A, A-1, A-2 and B, B-1, B-2 which are attached hereto and incorporated herein; and

WHEREAS, the Property is located entirely within the municipal boundaries of the City of Elk Grove; and

WHEREAS, the City of Elk Grove has complied with the requirements of the California Environmental Quality Act, Public Resources Code section 21000, *et seq.*, in regards to acquisition of the Properties based upon the City Council certifying an Environmental Impact Report for the Grant Line Road/State Route 99 Interchange Reconstruction Project on April 7, 2004; and

WHEREAS, the City of Elk Grove has complied with the requirements of Government Code section 7267.2, in regards to acquisition of the Property by making an offer to purchase to the known owner(s) of record; and

WHEREAS, as a result of the hearing held on September 14, 2005, and in accordance with the provisions of Code of Civil Procedure section 1245.235, the City Council of the City of Elk Grove intends to make certain findings and determinations.

NOW, THEREFORE, be it resolved by the City Council of the City of Elk Grove as follows:

1. The recitals contained herein are true and correct; and
2. Upon examination of the alternatives, the City of Elk Grove requires the Property for the Project; and
3. The City of Elk Grove is authorized to acquire the Property pursuant to the provisions of Government Code sections 37350.5, 37353, 40401 and 40414 and the provisions of the Eminent Domain Law comprising Title 7, Part 3 of the Code of Civil Procedure (commencing at section 1230.010); and
4. Acquisition of the Property for Project purposes promotes public safety and the general welfare, is authorized by Government Code sections 37350.5, 37353, 40401 and 40414, and is therefore a public use; and
5. The City of Elk Grove hereby finds, determines and declares:
 - a. The public interest and necessity require the proposed Project; and
 - b. The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; and
 - c. The Property, consisting of a partial Fee Simple Interest described in Exhibit A and depicted in Exhibit B; a Public Utility Easement described in Exhibit A-1 and depicted in Exhibit B-1; and a Temporary Construction Easement described in Exhibit A-2 and depicted in Exhibit B-2, is necessary for the purposes of construction, operation and maintenance of the proposed Project; and
 - d. Prior to making the above findings and determinations, the offer required by section 7267.2 of the Government Code was made to the owner(s) of record of the Property interests described and depicted in Exhibits A, A-1,A-2, B, B-1, and B-2; and
 - e. The Property is being acquired for compatible use under Code of Civil Procedure section 1240.510 in that the City of Elk Grove's use of the Property will not interfere with or impair the continued public use as it now exists or may reasonably be expected to exist in the future, or, in the alternative, for a more necessary public use under Code of Civil Procedure section 1240.610 in that the City's use of the Property is a more necessary public use than the use to which the Property is appropriated.

6. The City Attorney is hereby authorized and directed to prepare, commence and prosecute proceedings in eminent domain in the appropriate court to acquire for the City of Elk Grove the Property interests described and depicted in Exhibits A, A-1, A-2, B, B-1, and B-2. The City Attorney is further authorized to take all steps necessary to obtain such orders for immediate possession of the Property interests as may be required for the Project.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 14th day of September 2005.



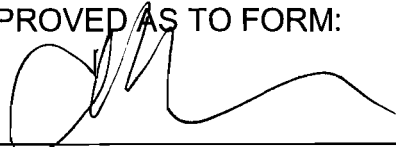
DANIEL BRIGGS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

Exhibit 'A' Page 1 of 3

City Parcel 04-15-11-A
In APN 134-0220-078

Located in the City of Elk Grove, County of Sacramento, State of California, and in Section 18, Township 6 North, Range 6 East, Mount Diablo Meridian, being a portion of New Parcel B described in the Lot Line Adjustment recorded January 7, 2002, in Book 20020107 Page 276, Official Records of Sacramento County, and more particularly described as follows:

COMMENCING at the West Quarter-section corner of said Section 18; thence along the east-west centerline of said Section 18, North $89^{\circ}17'25''$ East 811.334 meters to the Center Quarter-section corner of said Section 18; thence North $44^{\circ}44'09''$ West 311.166 meters to the **POINT OF BEGINNING** on the southeasterly boundary line of said New Parcel B; thence along last said line, South $51^{\circ}12'37''$ West a distance of 108.877 meters to the southerly corner of said New Parcel B; thence along the southwesterly boundary line of said New Parcel B, along a curve to the left having a radius of 457.196 meters, a chord bearing North $41^{\circ}06'05''$ West 30.592 meters, through a central angle of $3^{\circ}50'04''$ an arc length of 30.598 meters; thence North $46^{\circ}55'06''$ East a distance of 15.840 meters; thence North $51^{\circ}38'01''$ East a distance of 3.663 meters; thence along a non-tangent curve to the left having a radius of 2.591 meters, a chord bearing South $88^{\circ}40'02''$ East 3.342 meters, through a central angle of $80^{\circ}19'56''$ an arc length of 3.632 meters to a point of tangency; thence North $51^{\circ}10'00''$ East a distance of 56.137 meters; thence North $56^{\circ}05'45''$ East a distance of 32.077 meters; thence South $38^{\circ}47'23''$ East a distance of 26.883 meters to the **POINT OF BEGINNING**.

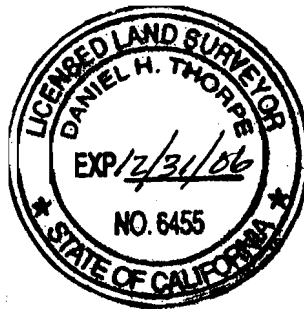
Containing an area of 0.32254 hectares (34,718 square feet or 0.7970 acres), more or less.

The bearings and distances used in the above description are based upon the California Coordinate System of 1983, Zone 2. Divide the above distances by 0.99999 to obtain ground level distances. To convert meters to U.S. survey feet, multiply the distance by 3937/1200. To convert hectares to acres, multiply hectares by 2.471±.

This real property description has been prepared at Mark Thomas & Co. Inc., by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Daniel H. Thorpe
Daniel H. Thorpe
Professional Land Surveyor
California No. 6455

May 22, 2005
Date



City Parcel 04-15-11-C
In APN 134-0220-078

Located in the City of Elk Grove, County of Sacramento, State of California, and in Section 18, Township 6 North, Range 6 East, Mount Diablo Meridian, being a portion of New Parcel B described in the Lot Line Adjustment recorded January 7, 2002, in Book 20020107 Page 276, Official Records of Sacramento County, and more particularly described as follows:

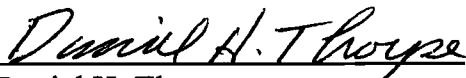
COMMENCING at the West Quarter-section corner of said Section 18; thence along the east-west centerline of said Section 18, North $89^{\circ}17'25''$ East 811.334 meters to the Center Quarter-section corner of said Section 18; thence North $44^{\circ}44'09''$ West 311.166 meters to the **POINT OF BEGINNING** on the southeasterly boundary line of said New Parcel B; thence North $38^{\circ}47'23''$ West a distance of 26.883 meters; thence North $42^{\circ}54'44''$ East a distance of 93.262 meters to a point of curvature; thence along a tangent curve to the left having a radius of 15.000 meters, a chord bearing North $3^{\circ}30'05''$ East 19.046 meters, through a central angle of $78^{\circ}49'17''$ an arc length of 20.635 meters to a point of reverse curvature; thence along a tangent curve to the right having a radius of 200.000 meters, a chord bearing North $19^{\circ}16'03''$ West 114.555 meters, through a central angle of $33^{\circ}17'01''$ an arc length of 116.182 meters to a point of tangency; thence North $2^{\circ}37'32''$ West a distance of 123.753 meters to the westerly right of way of the frontage road (now known as West Stockton Boulevard) shown on the map filed April 29, 1958, in State Highway Map Book 4 at Page 25, Sacramento County Records; thence along said right of way line, South $12^{\circ}17'08''$ East a distance of 166.955 meters to a point of curvature, and thence along a tangent curve to the left having a radius of 252.982 meters, a chord bearing South $25^{\circ}32'17''$ East 115.991 meters, through a central angle of $26^{\circ}30'19''$ an arc length of 117.031 meters to the easterly corner of said New Parcel B; thence along said southeasterly boundary line of New Parcel B, South $51^{\circ}12'37''$ West a distance of 115.316 meters to the **POINT OF BEGINNING**.

Containing an area of 0.79642 hectares (85,726 square feet or 1.9680 acres), more or less.

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said freeway.

The bearings and distances used in the above description are based upon the California Coordinate System of 1983, Zone 2. Divide the above distances by 0.99999 to obtain ground level distances. To convert meters to U.S. survey feet, multiply the distance by 3937/1200. To convert hectares to acres, multiply hectares by 2.471±.

This real property description has been prepared at Mark Thomas & Co. Inc., by me, or under my direction, in conformance with the Professional Land Surveyor's Act.


Daniel H. Thorpe
Professional Land Surveyor
California No. 6455



May 22, 2005
Date

City Parcel 04-15-11-E
In APN 134-0220-078

Located in the City of Elk Grove, County of Sacramento, State of California, and in Section 18, Township 6 North, Range 6 East, Mount Diablo Meridian, being a portion of New Parcel B described in the Lot Line Adjustment recorded January 7, 2002, in Book 20020107 Page 276, Official Records of Sacramento County, and more particularly described as follows:

COMMENCING on the westerly right of way line of the frontage road (now known as West Stockton Boulevard) shown on the map filed April 29, 1958, in State Highway Map Book 4 at Page 26, Sacramento County Records; at the angle point labeled "F3" 78+74.83 30.00'; thence along said right of way line, North18°33'29"West 48.527 meters to the **POINT OF BEGINNING**; thence North30°27'03"West a distance of 11.894 meters; thence North33°03'01"West a distance of 75.135 meters to said westerly right of way line; thence along last said line, South37°55'23"East a distance of 30.892 meters, and thence South30°27'03"East a distance of 53.428 meters, and thence South18°33'29"East a distance of 2.958 meters to the **POINT OF BEGINNING**.

Containing an area of 0.01185 hectares (1,275 square feet or 0.0293 acres), more or less.

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said freeway, and also hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said freeway, on and across the following courses:

BEGINNING at said **POINT OF BEGINNING** described above; thence along said westerly right of way of frontage road, South18°33'29"East a distance of 48.527 meters, and thence South12°17'08"East a distance of 18.034 meters.

The bearings and distances used in the above description are based upon the California Coordinate System of 1983, Zone 2. Divide the above distances by 0.99999 to obtain ground level distances. To convert meters to U.S. survey feet, multiply the distance by 3937/1200. To convert hectares to acres, multiply hectares by 2.471±.

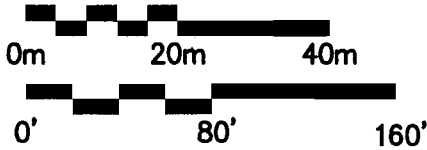
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Daniel H. Thorpe
Daniel H. Thorpe
Professional Land Surveyor
California No. 6455



May 22, 2005
Date

This exhibit is for graphic purp.
or omissions shall not affect the deed descriptions.

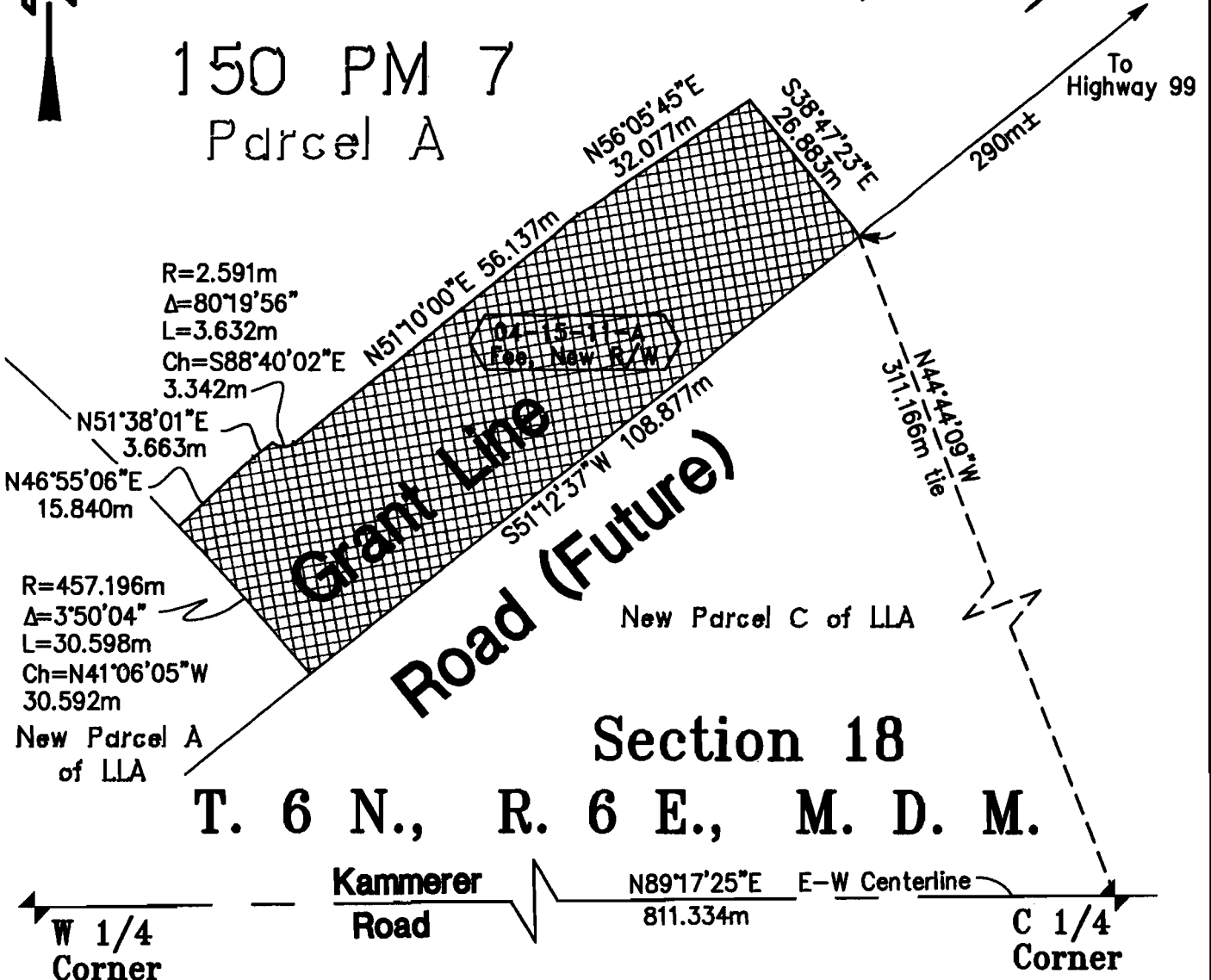


APN 134-0220-078

New Parcel B of LLA 20020107/0276

Daniel H. Thorpe

150 PM 7
Parcel A



Bearings and distances shown are based on the California Coordinate System of 1983, Zone 2, in meters.
Divide distances shown by 0.99999 to get ground level distances.



IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
CITY PARCEL 04-15-II-A



Scale 1 : 1000
Date 22-May-2005
Drawn By Stanley
Checked By Thorpe

EXHIBIT B Plat to Accompany Legal Description
Fee Take of 0.32254±hectares
(34,718±sq.ft. or 0.7970±acres) in
APN 134-0220-078

This exhibit is for graphic purposes only. Any errors or omissions shall not affect the deed descriptions.

Bearings and distances shown are based on the California Coordinate System of 1983, Zone 2, in meters. Divide distances shown by 0.99999 to get ground level distances.

1 50 PM 7
Parcel A



Daniel H. Thorpe

Abutter's Rights Including Access Right's Relinquished

APN 134-0220-078
New Parcel B of LLA
20020107/0276

R=200.000m
Δ=33°17'01"
L=116.182m
Ch=N19°16'03"W
114.555m

R=15.000m
Δ=78°49'17"
L=20.635m
Ch=N3°30'05"E
19.046m

R=252.982m
Δ=26°30'19"
L=117.031m
Ch=S25°32'17"E
115.991m

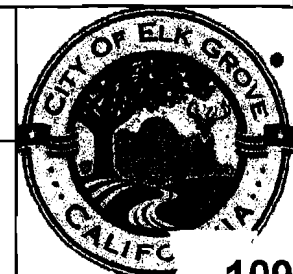
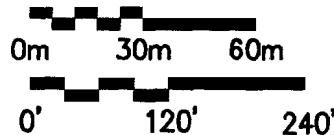
Sec. 18
T. 6N.,
R. 6E.,
M.D.M.

Highway Maps
25
West Stockton Boulevard

Grant Line Road

New Parcel C of LLA

W 1/4 Kor. Kammerer Road
N89°17'25"E
E-W Centerline
811.334m
N44°44'09"W
311.166m tie
N38°47'23"W
26.883m
108.877m
S51°12'37"W 115.316m
C 1/4 Kor.



Mark Thomas & Company Inc.
Scale 1 : 1500
Date 22-May-2005
Drawn By Stanley
Checked By Thorpe

IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
CITY PARCEL 04-15-II-C
EXHIBIT B Plat to Accompany Legal Description
Fee Take of 0.79642±hectares
(85,726±sq.ft. or 1.9680±acres) in
APN 134-0220-078

Sec. 18
T. 6 N.,
R. 6 E.,
M. D. M.



04-15-11-E
Fee, New R/W

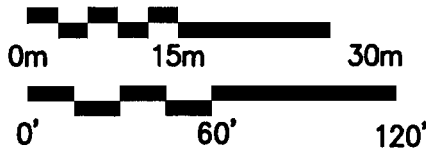
APN 134-0220-078

New Parcel B of LLA 20020107/0276

150 PM 7
Parcel A



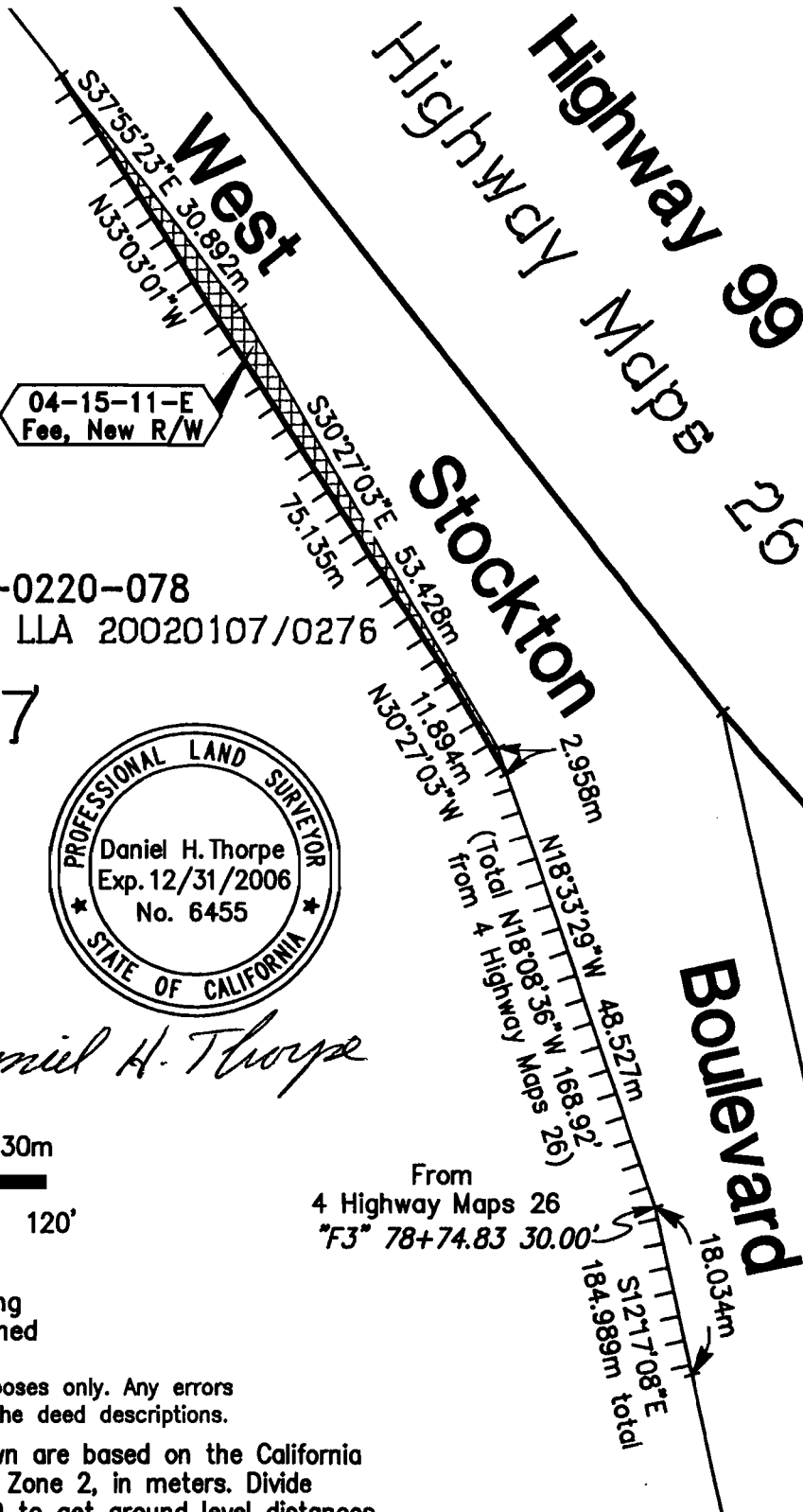
Daniel H. Thorpe



Abutter's Rights Including
Access Rights Relinquished

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or omissions shall not affect the deed descriptions.

Bearings and distances shown are based on the California
Coordinate System of 1983, Zone 2, in meters. Divide
distances shown by 0.99999 to get ground level distances.



IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
CITY PARCEL 04-15-11-E



Scale 1 : 750
Date 22-May-2005
Drawn By Stanley
Checked By Thorpe

EXHIBIT B Plat to Accompany Legal Description
Fee Take of 0.01185±hectares
(1,275±sq.ft. or 0.0293±acres) in
APN 134-0220-078

Exhibit 'A-1' Page 1 of 3

City Parcel 04-15-11-B
In APN 134-0220-078

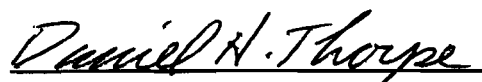
Located in the City of Elk Grove, County of Sacramento, State of California, and in Section 18, Township 6 North, Range 6 East, Mount Diablo Meridian, being a 3.810 meter wide strip of land in New Parcel B described in the Lot Line Adjustment recorded January 7, 2002, in Book 20020107 Page 276, Official Records of Sacramento County, and more particularly described as follows:

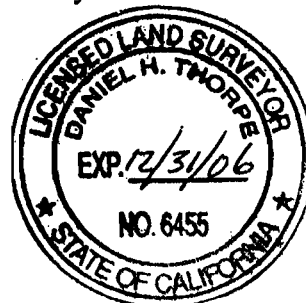
COMMENCING at the West Quarter-section corner of said Section 18; thence along the east-west centerline of said Section 18, North $89^{\circ}17'25''$ East 811.334 meters to the Center Quarter-section corner of said Section 18; thence North $44^{\circ}44'09''$ West 311.166 meters to a point on the southeasterly boundary line of said New Parcel B; thence North $38^{\circ}47'23''$ West 26.883 meters to the **POINT OF BEGINNING**; thence South $56^{\circ}05'45''$ West a distance of 32.077 meters; thence South $51^{\circ}10'00''$ West a distance of 56.137 meters to a point of curvature; thence along a tangent curve to the right having a radius of 2.591 meters, a chord bearing North $88^{\circ}40'02''$ West 3.342 meters, through a central angle of $80^{\circ}19'56''$ an arc length of 3.632 meters; thence North $38^{\circ}50'00''$ West a distance of 1.654 meters; thence North $51^{\circ}10'00''$ East a distance of 58.855 meters; thence North $56^{\circ}05'45''$ East a distance of 31.801 meters; thence North $42^{\circ}54'44''$ East a distance of 92.822 meters to a point of curvature; thence along a tangent curve to the left having a radius of 11.190 meters, a chord bearing North $3^{\circ}30'05''$ East 14.208 meters, through a central angle of $78^{\circ}49'17''$ an arc length of 15.394 meters to a point of reverse curvature; thence along a tangent curve to the right having a radius of 203.810 meters, a chord bearing North $19^{\circ}16'03''$ West 116.737 meters, through a central angle of $33^{\circ}17'01''$ an arc length of 118.395 meters to a point of tangency; thence North $2^{\circ}37'32''$ West a distance of 123.432 meters to the westerly line of the 12.5 feet wide Public Utility Easement along the westerly side of West Stockton Boulevard as shown on the Parcel Map filed March 24, 1998, in Book 150 of Parcel Maps at Page 7, Sacramento County Records; thence along said westerly line, South $12^{\circ}17'08''$ East a distance of 22.706 meters; thence South $2^{\circ}37'32''$ East a distance of 101.048 meters to a point of curvature; thence along a tangent curve to the left having a radius of 200.000 meters, a chord bearing South $19^{\circ}16'03''$ East 114.555 meters, through a central angle of $33^{\circ}17'01''$ an arc length of 116.182 meters to a point of reverse curvature; thence along a tangent curve to the right having a radius of 15.000 meters, a chord bearing South $3^{\circ}30'05''$ West 19.046 meters, through a central angle of $78^{\circ}49'17''$ an arc length of 20.635 meters; thence South $42^{\circ}54'44''$ West a distance of 93.262 meters to the **POINT OF BEGINNING**.

Containing an area of 0.16419 hectares (17,673 square feet or 0.4057 acres), more or less.

The bearings and distances used in the above description are based upon the California Coordinate System of 1983, Zone 2. Divide the above distances by 0.99999 to obtain ground level distances. To convert meters to U.S. survey feet, multiply the distance by 3937/1200. To convert hectares to acres, multiply hectares by 2.471±.

This real property description has been prepared at Mark Thomas & Co. Inc., by me, or under my direction, in conformance with the Professional Land Surveyor's Act.


Daniel H. Thorpe
Professional Land Surveyor
California No. 6455



May 23, 2005
Date

Exhibit 'A-1' Page 2 of 3

City Parcel 04-15-11-D
In APN 134-0220-078

Located in the City of Elk Grove, County of Sacramento, State of California, and in Section 18, Township 6 North, Range 6 East, Mount Diablo Meridian, being a portion of New Parcel B described in the Lot Line Adjustment recorded January 7, 2002, in Book 20020107 Page 276, Official Records of Sacramento County, and more particularly described as follows:

COMMENCING on the westerly right of way line of the frontage road (now known as West Stockton Boulevard) shown on the map filed April 29, 1958, in State Highway Map Book 4 at Page 26, Sacramento County Records; at the angle point labeled "F3" 78+74.83 30.00'; thence along said right of way line, North18°33'29"West 48.130 meters; thence South71°26'31"West a distance of 3.810 meters to the **POINT OF BEGINNING** on the westerly line of the 12.5 feet wide Public Utility Easement adjoining West Stockton Boulevard as shown on the Parcel Map filed March 24, 1998, in Book 150 of Parcel Maps at Page 7, Sacramento County Records; thence along said westerly line of the Public Utility Easement, North30°27'03"West a distance of 11.411 meters; thence North33°03'01"West a distance of 74.887 meters to said westerly line of the Public Utility Easement; thence along last said line, South37°55'23"East a distance of 30.805 meters, and thence South30°27'03"East a distance of 52.782 meters, and thence South18°33'29"East a distance of 2.958 meters to the **POINT OF BEGINNING**.

Containing an area of 0.01175 hectares (1,265 square feet or 0.0290 acres), more or less.

The bearings and distances used in the above description are based upon the California Coordinate System of 1983, Zone 2. Divide the above distances by 0.99999 to obtain ground level distances. To convert meters to U.S. survey feet, multiply the distance by 3937/1200. To convert hectares to acres, multiply hectares by 2.471±.

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Daniel H. Thorpe

Daniel H. Thorpe
Professional Land Surveyor
California No. 6455

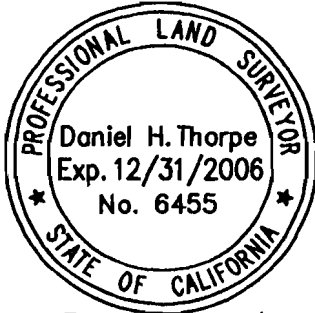
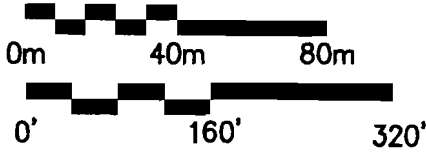


May 23, 2005
Date

Exhibit 'A-1' Page 3 of 3

The purpose of the Public Utility Easement is for construction, re-construction, installation, use, repair, rehabilitation and maintenance of public utilities inclusive of water, gas, sewer, drainage pipes, poles, overhead wires and appurtenances thereto, over, across, and under all that real property situated in the City of Elk Grove, County of Sacramento, State of California.

Bearings and distances shown are based on the National
 Coordinate System of 1983, Zone 2, in meters. Divide
 distances shown by 0.99999 to get ground level distances.
 This exhibit is for graphic purposes only. Any errors
 or omissions shall not effect the deed descriptions.



Daniel H. Thorpe

**Sec. 18
 T. 6 N.,
 R. 6 E.,
 M. D. M.**

R=203.810m
 Δ=33°17'01"
 L=118.395m
 Ch=N19°16'03"W
 116.737m

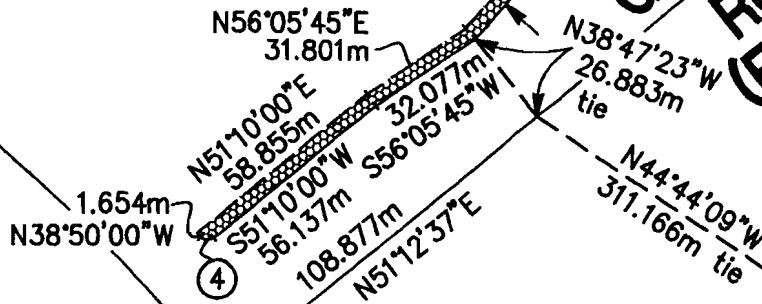


**150 PM 7
 Parcel A**

**APN 134-0220-078
 New Parcel B of LLA
 20020107/0276**

- ① R=11.190m
 Δ=78°49'17"
 L=15.394m
 Ch=N3°30'05"E
 14.208m
- ② R=200.000m
 Δ=33°17'01"
 L=116.182m
 Ch=S19°16'03"E
 114.555m
- ③ R=15.000m
 Δ=78°49'17"
 L=20.635m
 Ch=S3°30'05"W
 19.046m
- ④ R=2.591m
 Δ=80°19'56"
 L=3.632m
 Ch=N88°40'02"W
 3.342m

New Parcel B of LLA



**04-15-11-B
 New P.U.E.**

**W1/4
 Cor. Kammerer
 Road**

**Grant Line
 Road
 (Future)**

New Parcel C
 of LLA

**C1/4
 Cor.**

E-W Centerline
 N89°17'25"E 811.334m



Mark
 Thomas &
 Company
 Inc.

**IN THE CITY OF ELK GROVE
 SACRAMENTO COUNTY, CALIFORNIA
 CITY PARCEL 04-15-11-B**

Scale 1 : 2000
 Date 23-May-2005
 Drawn By Stanley
 Checked By Thorpe

EXHIBIT B Plat to Accompany Legal Description
 Public Utility Easement of 0.16419±hectares
 (17,673±sq.ft. or 0.4057±acres) in
 APN 134-0220-078



This exhibit is for graphic or omissions shall not affect the deed descriptions.

Sec. 18
T. 6 N.,
R. 6 E.,
M. D. M.

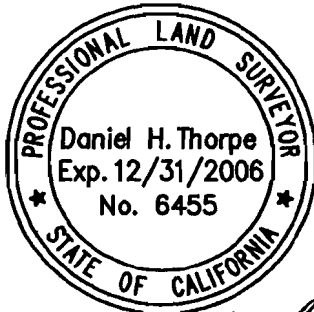


04-15-11-D
New P.U.E.

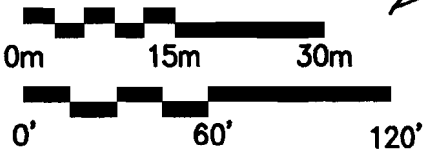
APN 134-0220-078

New Parcel B of LLA 20020107/0276

150 PM 7
Parcel A



Daniel H. Thorpe



Bearings and distances shown are based on the California Coordinate System of 1983, Zone 2, in meters. Divide distances shown by 0.99999 to get ground level distances.

From
4 Highway Maps 26
F3 78+74.83 30.00'



IN THE CITY OF ELK GROVE
SACRAMENTO COUNTY, CALIFORNIA
CITY PARCEL 04-15-11-D



Scale 1 : 750
Date 23-May-2005
Drawn By Stanley
Checked By Thorpe

EXHIBIT B Plat to Accompany Legal Description
Public Utility Easement of 0.01175±hectares
(1,265±sq.ft. or 0.0290±acres) in
APN 134-0220-078

Exhibit 'A-2' Page 1 of 3

City Parcel 04-15-11-F
In APN 134-0220-078

Located in the City of Elk Grove, County of Sacramento, State of California, in Section 18, Township 6 North, Range 6 East, Mount Diablo Meridian, in New Parcel B described in the Lot Line Adjustment recorded January 7, 2002, in Book 20020107 Page 276, Official Records of Sacramento County, and more particularly described as follows:

COMMENCING at the most easterly corner of said Parcel B, on the westerly right of way line of the frontage road (now known as West Stockton Boulevard) shown on the map filed April 29, 1958, in State Highway Map Book 4 at Page 25, Sacramento County Records; thence along the southeasterly boundary line of said Parcel B, South $51^{\circ}12'37''$ West 115.316 meters; thence North $38^{\circ}47'23''$ West 26.883 meters to the **POINT OF BEGINNING**; thence South $56^{\circ}05'45''$ West a distance of 32.077 meters; thence South $51^{\circ}10'00''$ West a distance of 56.137 meters to a point of curvature; thence along a tangent curve to the right having a radius of 2.591 meters, a chord bearing North $88^{\circ}40'02''$ West 3.342 meters, through a central angle of $80^{\circ}19'56''$ an arc length of 3.632 meters; thence South $51^{\circ}38'01''$ West a distance of 3.663 meters; thence South $46^{\circ}55'06''$ West a distance of 15.840 meters to the southwesterly boundary line of said Parcel B; thence along last said line, along a non-tangent curve to the left having a radius of 457.196 meters, a chord bearing North $43^{\circ}07'15''$ West 1.629 meters, through a central angle of $0^{\circ}12'15''$ an arc length of 1.629 meters; thence North $46^{\circ}55'06''$ East a distance of 15.841 meters; thence North $51^{\circ}10'00''$ East a distance of 62.638 meters; thence North $37^{\circ}00'19''$ West a distance of 11.483 meters to a point of curvature; thence along a tangent curve to the right having a radius of 58.500 meters, a chord bearing North $11^{\circ}30'47''$ East 87.652 meters, through a central angle of $97^{\circ}02'11''$ an arc length of 99.076 meters to a point of tangency; thence North $60^{\circ}01'52''$ East a distance of 21.521 meters to a point of curvature; thence along a tangent curve to the left having a radius of 29.500 meters, a chord bearing North $22^{\circ}08'42''$ East 36.232 meters, through a central angle of $75^{\circ}46'21''$ an arc length of 39.013 meters to a point of tangency; thence North $15^{\circ}44'29''$ West a distance of 18.727 meters to a point of curvature; thence along a tangent curve to the right having a radius of 192.000 meters, a chord bearing North $5^{\circ}05'40''$ West 70.946 meters, through a central angle of $21^{\circ}17'38''$ an arc length of 71.356 meters to a point of tangency; thence North $5^{\circ}33'09''$ East a distance of 27.109 meters to a point of curvature; thence along a tangent curve to the left having a radius of 289.500 meters, a chord bearing North $13^{\circ}39'22''$ West 190.498 meters, through a central angle of $38^{\circ}25'03''$ an arc length of 194.113 meters to a point of tangency; thence North $32^{\circ}51'54''$ West a distance of 165.377 meters to said westerly right of way line of the frontage road; thence along last said line South $37^{\circ}55'23''$ East a distance of 137.299 meters; thence South $33^{\circ}03'01''$ East a distance of 75.135 meters; thence South $30^{\circ}27'03''$ East a distance of 11.894 meters to said westerly right of way line of the frontage road; thence along last said line, South $18^{\circ}33'29''$ East a distance of 48.527 meters, and thence South $12^{\circ}17'08''$ East a distance of 18.034 meters; thence South $2^{\circ}37'32''$ East a distance of 123.753 meters to a point of curvature; thence along a tangent curve to the left having a radius of 200.000 meters, a chord bearing South $19^{\circ}16'03''$ East 114.555 meters, through a central angle of $33^{\circ}17'01''$ an arc length of 116.182 meters to

Exhibit 'A-2' Page 2 of 3

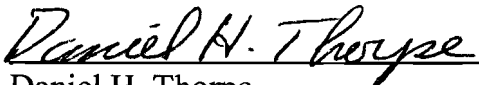
City Parcel 04-15-11-F
In APN 134-0220-078

a point of reverse curvature; thence along a tangent curve to the right having a radius of 15.000 meters, a chord bearing South3°30'05"West 19.046 meters, through a central angle of 78°49'17" an arc length of 20.635 meters to a point of tangency; thence South42°54'44"West a distance of 93.262 meters to the **POINT OF BEGINNING**.

Containing an area of 1.64221 hectares (176,765 square feet or 4.0580 acres), more or less.

The bearings and distances used in the above description are based upon the California Coordinate System of 1983, Zone 2. Divide the above distances by 0.99999 to obtain ground level distances. To convert meters to U.S. survey feet, multiply the distance by 3937/1200. To convert hectares to acres, multiply hectares by 2.471±.

This real property description has been prepared at Mark Thomas & Co. Inc., by me, or under my direction, in conformance with the Professional Land Surveyor's Act.


Daniel H. Thorpe
Professional Land Surveyor
California No. 6455



June 20, 2005
Date

Exhibit 'A-2' Page 3 of 3

The term of the Temporary Construction Easement is for two years and shall terminate upon the complete of the construction of the Grant Line Road/State Route 99 Interchange Project, or March 1, 2008 whichever occurs earlier.

Bearings and distances sh.
 Coordinate System of 1983, Zone 2, in meters. Divide
 distances shown by 0.99999 to get ground level distances.
 This exhibit is for graphic purposes only. Any errors
 or omissions shall not effect the deed descriptions.

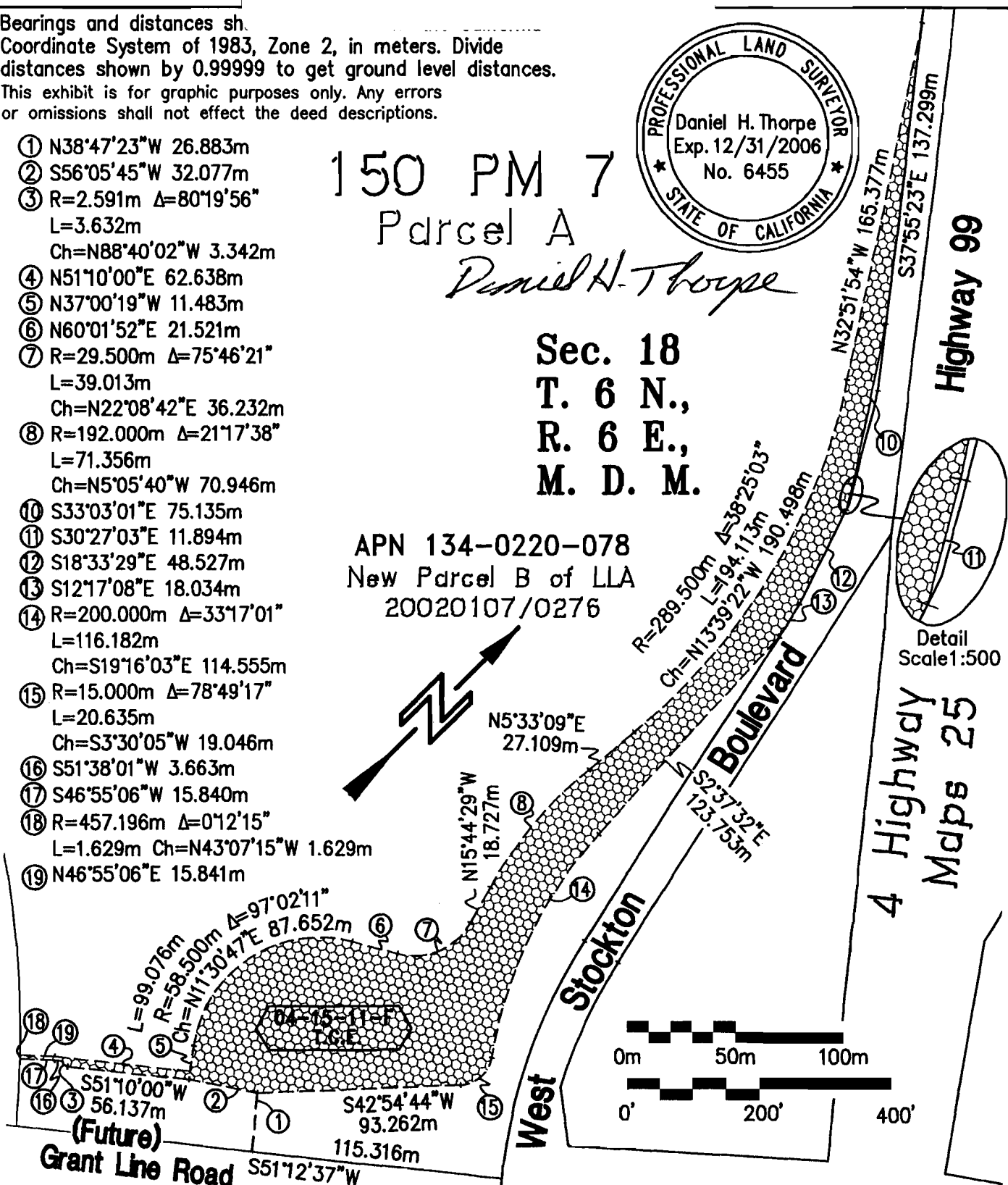
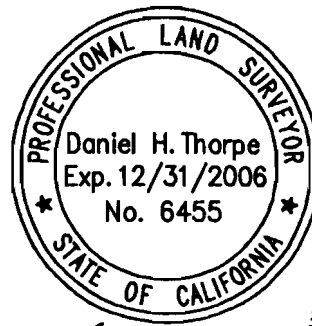
- ① N38°47'23"W 26.883m
- ② S56°05'45"W 32.077m
- ③ R=2.591m Δ=80°19'56"
L=3.632m
Ch=N88°40'02"W 3.342m
- ④ N51°10'00"E 62.638m
- ⑤ N37°00'19"W 11.483m
- ⑥ N60°01'52"E 21.521m
- ⑦ R=29.500m Δ=75°46'21"
L=39.013m
Ch=N22°08'42"E 36.232m
- ⑧ R=192.000m Δ=21°17'38"
L=71.356m
Ch=N5°05'40"W 70.946m
- ⑩ S33°03'01"E 75.135m
- ⑪ S30°27'03"E 11.894m
- ⑫ S18°33'29"E 48.527m
- ⑬ S12°17'08"E 18.034m
- ⑭ R=200.000m Δ=33°17'01"
L=116.182m
Ch=S19°16'03"E 114.555m
- ⑮ R=15.000m Δ=78°49'17"
L=20.635m
Ch=S3°30'05"W 19.046m
- ⑯ S51°38'01"W 3.663m
- ⑰ S46°55'06"W 15.840m
- ⑱ R=457.196m Δ=0°12'15"
L=1.629m Ch=N43°07'15"W 1.629m
- ⑲ N46°55'06"E 15.841m

150 PM 7
 Parcel A

Daniel H. Thorpe

Sec. 18
 T. 6 N.,
 R. 6 E.,
 M. D. M.

APN 134-0220-078
 New Parcel B of LLA
 20020107/0276



mt Mark
 Thomas &
 Company
 Inc.
 Scale 1 : 2500
 Date 20-Jun-2005
 Drawn By Olsen
 Checked By Thorpe

IN THE CITY OF ELK GROVE
 SACRAMENTO COUNTY, CALIFORNIA
 CITY PARCEL 04-15-II-F
EXHIBIT B Plat to Accompany Legal Description
 Temporary Construction Easement of 1.64221±hectares
 (176,765±sq.ft. or 4.0580±acres) in
 APN 134-0220-078



**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2005-272**

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 14th day of September, 2005 by the following vote:

AYES 5: COUNCILMEMBERS: Scherman, Soares, Briggs, Cooper, Leary

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 0: COUNCILMEMBERS:



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

