

RESOLUTION NO. 2008-260

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
ACKNOWLEDGING RECEIPT OF NOTICE OF NON-RENEWAL FOR A PORTION OF
CALIFORNIA LAND CONSERVATION ACT (WILLIAMSON ACT) CONTRACT
NUMBER 76-AP-001, ASSESSOR PARCEL NUMBER 132-0320-010**

WHEREAS, the California Land Conservation Act of 1965 (Williamson Act) was established as a method of encouraging the preservation of agricultural lands through the valuation of such lands subject to contracts under the Williamson Act; and

WHEREAS, §51244 & §51245 of the California Government Code provides for the non-renewal of such contracts by the landowner no less than ten years from the effective date of the contract; and

WHEREAS, on January 28, 1976, the County of Sacramento established an agricultural preserve under Land Conservation Contract Number 76-AP-001 on lands described in the attached legal description; and

WHEREAS, Siebren Jacobi and Charles Jacobi, filed with the City of Elk Grove a Notice of Non-Renewal on a portion of the land that is subject to the provisions of Land Conservation Contract Number 76-AP-001.

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

Finding: The proposed action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(1), CEQA Guidelines Section 15300.1.

Evidence: Public Resources Code Section 21080(b)(1) and CEQA Guidelines Section 15300.1 state that ministerial actions are exempt from the provisions of CEQA. Given that that the Council's action to record the applicant's non-renewal notice is ministerial in nature, it is exempt from CEQA.

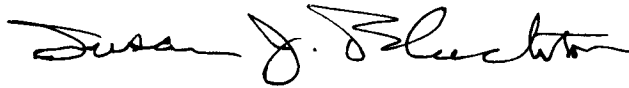
BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove does hereby acknowledge receipt of a Notice of Non-Renewal for a portion of Land Conservation Act Contract Number 76-AP-001 as attached hereto and incorporated herein and authorize the City Clerk of the City of Elk Grove to execute said Notice.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 10th day of December 2008.



**PATRICK HUME, MAYOR of the
CITY OF ELK GROVE**

ATTEST:



SUSAN J. BLACKSTON, CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

NO FEE DOCUMENT

GOVERNMENT CODE §6103

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

**CITY OF ELK GROVE
Office of the City Clerk
8380 Laguna Palms Way, Suite 200
Elk Grove, CA 95758**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

**NOTICE OF NON-RENEWAL
FOR A PORTION OF
LAND CONSERVATION AREA**

Pursuant to §51245 and §51246 of the Government Code, on the 17th day of October, 2008, the undersigned of attached **Exhibit 1**, Siebren Jacobi and Charles Jacobi, individually and as Successors Co-Trustees of the A. & J. Jacobi 2000 Trust do hereby give notice of non-renewal of Williamson Land Conservation Agreement described below and in the attached **Exhibit A**.

PROPERTY INFORMATION

Contract Numbers: 76-AP-001

Assessor Parcel Number: 132-0320-010

Property Owner(s): Siebren Jacobi and Charles Jacobi, individually and as Successors Co-Trustees of the A. & J. Jacobi 2000 Trust

Document Recorded in Book 7602-27 at Page(s) 997 in the office of the Sacramento County Recorder, February 27, 1976

By this Notice of Non-renewal filed with the City Council of the City of Elk Grove, the Agreement(s) referenced above will expire on and after the 27th day of February 2018.

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this 17th day of October, 2008, as shown in the attached Exhibit 1.

This Notice of Non-Renewal was received on November 04, 2008, in the Office of the Clerk of the City of Elk Grove, California.

CITY OF ELK GROVE

BY: _____

Susan J. Blackston
City Clerk
City of Elk Grove, California

NOTICE OF FULL NON-RENEWAL
Government Code §51245

TO: CITY COUNCIL, CITY OF ELK GROVE:

This is to notify the City of Elk Grove that the Land Conservation Contract on the property herein described will not be renewed as of the next annual renewal date, or such earlier point in time as may be available for non-renewal. The legal description of the affected land subject to the said contract is attached as Exhibit "A."

Parcel Number: 132-0320-010-0000
Acreage: Approximately 102 acres

By execution hereof, the undersigned parties declare under penalty of perjury under the laws of the State of California, that they constitute and are all of the fee title owners of the property described herein, and are, or are the successors in interest of, the owners of such property who entered into the Land Conservation Contract.

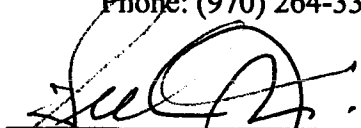
The name, mailing address and phone number of each current owner is:

SIEBREN JACOBI
Successor Co-Trustee of the
A. & J. Jacobi 2000 Trust
31922 N. E. 15th Street
Washougal, WA 98671
Phone: (360) 835-5339

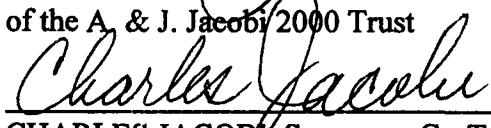
CHARLES JACOBI
Successor Co-Trustee of the
A. & J. Jacobi 2000 Trust
241 Blue Lake Drive
Pagosa Springs, CO 81147
Phone: (970) 264-3344

DATED: October 14, 2008

DATED: October 17, 2008



SIEBREN JACOBI, Successor Co-Trustee
of the A. & J. Jacobi 2000 Trust



CHARLES JACOBI, Successor Co-Trustee
of the A. & J. Jacobi 2000 Trust

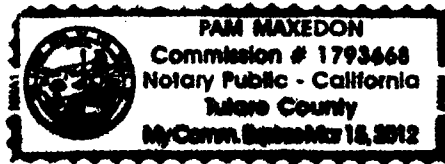
STATE OF CALIFORNIA }
 } ss.
COUNTY OF TULARE }

On 10-14-08, before me, Pam Maxedon, a Notary Public, personally appeared SIEBREN JACOBI, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Pam Maxedon



STATE OF CALIFORNIA }
 } ss.
COUNTY OF TULARE }

On 10-17-08 before me, Pam Maxedon, a Notary Public, personally appeared CHARLES JACOBI, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

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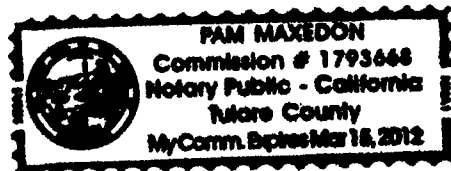


EXHIBIT A

All those portions of the Southwest one-quarter of Section 12, the Northwest one-quarter of Section 13, and the Northeast one-quarter of Section 14 all in Township 6 North, Range 5 East, MDM and being portions of Parcel C as shown on Parcel Map filed for record February 6, 1973 in Book 10 of Parcel Maps at page 27, Sacramento County Records, more particularly described as follows:

All that portion of the above-described Parcel C lying easterly of the following described line:

Beginning at a point on the South line of said Parcel C being also the South line of said Northwest one-quarter of Section 13 distant along last said line S 89° 41' 35" W, 1520.28 feet from a copper monument marked L.S. 3636 marking the center of said Section 13 as shown on said Parcel Map; thence N 0° 15' 13" W, 2309.87 feet to a point in the Northerly boundary of said Parcel C, as described by a Certificate of Compliance-Land Division, recorded March 17, 1978, in Book 78-03-17, Page 1025, Official Records.

EXCEPTING THEREFROM an undivided ½ interest in all minerals, oil, gas and other hydrocarbon substances and geothermal rights within or underlying said land whether now known to exist or hereafter discovered, for a period of 5 years from February 9, 1976, as contained in the deed from Joseph J. Souza and Mary Souza, his wife, to the Grantee herein, and for so long thereafter as there shall be development, excavating, drilling, redrilling, deepening, repairing and/or reworking or producing operations on said land by the grantor, grantee or by any lessee, agent, employee or joint venturers of the grantor or grantee.

A.P.N. 132-320-010-000

* Agricultural Preserve Document
Book 7602-27 Page 997

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2008-260**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)


I, Susan J. Blackston, 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 December 10, 2008 by the following vote:

AYES : **COUNCILMEMBERS:** ***Davis, Hume, Cooper, Scherman, Detrick***

NOES: **COUNCILMEMBERS:** ***None***

ABSTAIN : **COUNCILMEMBERS:** ***None***

ABSENT: **COUNCILMEMBERS:** ***None***



**Susan J. Blackston, City Clerk
City of Elk Grove, California**