

RESOLUTION NO. 2017-056

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
TO EXECUTE GRANT DEEDS GRANTING THE CALIFORNIA DEPARTMENT OF
TRANSPORTATION (CALTRANS) THREE PARCELS OF LAND LOCATED WITHIN
THE FOOTPRINT OF THE ELK GROVE BOULEVARD-STATE ROUTE 99
INTERCHANGE (CEQA EXEMPT)**

WHEREAS, prior to the incorporation of the City in April of 1995 the County of Sacramento entered into a Cooperative Agreement dated April 18, 1995 with Caltrans for the construction of the interchange at Elk Grove Boulevard and State Route 99 (Project); and

WHEREAS, the agreement laid out the responsibility of the County to acquire land for the Project or to grant any land owned by the County within the footprint of the Project owned by the County to Caltrans in fee simple, and that process did not occur; and

WHEREAS, the County originally owned these portions of the properties within the interchange upon a relinquishment by Caltrans recorded in Book 3327 Page 421, Official Records of Sacramento County, and the City became owner through the City's incorporation pursuant to Section 989 of the Streets and Highway Code; and

WHEREAS, Psomas, the original surveying company on this Project, is completing the final Right of Way Maps and the Record of Survey for this Project and found these parcels are within the interchange pursuant to the Agreement and City is willing to grant these to Caltrans and requests the City Council direct the City Manager to execute the grant deeds; and

WHEREAS, the California Environmental Quality Act (CEQA) requires analysis of agency approvals of discretionary "Projects." CEQA Guidelines Section 15061(b)(3) sets forth the general rule exemption, which provides that CEQA only applies to projects which "have the potential for causing a significant effect on the environment; where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby finds that the grant of property rights to Caltrans requires no further environmental review pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations (CEQA Guidelines), based upon the following finding:


Finding: No further environmental review is required pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations (CEQA Guidelines).

Evidence: The proposed Project involves granting of property rights for three (3) single parcels located within the Elk Grove Boulevard/State Route 99 interchange to Caltrans. These parcels are part of the larger interchange project that has been completed and no physical construction or activity is contemplated as a result of this action; it is only the

transfer of property rights. The Project, therefore, will not have the potential to result in individual or cumulative significant effects on the environment. Furthermore, no special circumstances exist that would create a reasonable possibility that approving the Project would have a significant effect on the environment. Thus, the proposed land grants are exempt from review under CEQA.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove hereby grants to Caltrans the property within the Elk Grove Boulevard/State Route 99 interchange, as described in Exhibits A, B, and C attached hereto and incorporated herein, pursuant to the Agreement, and authorizes the City Manager to execute the grant deeds and transmit the deeds to Caltrans for processing and recordation in substantially the form presented.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 22nd day of March 2017.



STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS,
CITY ATTORNEY

Space above this line for Recorder's Use

GRANT DEED

District	County	Route	Postmile	Number
03	SAC	99	12.9	34083-1

City of Elk Grove, a municipal corporation,
a corporation organized and existing under and by virtue of the laws of the State of California,

hereinafter called GRANTOR, hereby grants to the State of California, Department of Transportation,
hereinafter called STATE, all that real property in the City of Elk Grove, County of Sacramento, State of
California, described as follows:

See Exhibit "A", attached.

Number
34083-1

EXHIBIT "A"

All that real property situated in the City of Elk Grove, County of Sacramento, State of California, lying in Section 1, Township 6 North, Range 5 East, M.D.M and being a portion of West Stockton Boulevard being more particularly described as follows:

BEGINNING at a point on the westerly right of way of Route 99, said point being the Northerly terminus of that certain line cited as "North 33°53'00" West 448.12'" as shown on the certain California Department of Transportation Right of Way Map, Route 4, Section B, Sheet No. 2, dated June 4, 1956, and filed in Map Book 4 at Page 32, Sacramento County Records and also on file with the California Department of Transportation District 3 Right of Way Office, thence along said right of way the following (3) three courses;

- 1) South 34°18'27" East 448.12 feet;
- 2) South 34°13'04" East 201.20 feet; and
- 3) South 27°56'27" East 577.70 feet;

thence leaving said right of way South 62°03'33" West 0.49 feet; thence North 29°04'56" West 503.04 feet to the beginning of a curve, concave southwesterly, having a radius of 2968.00 feet; thence northwesterly along said curve, through a central angle of 07°16'56", an arc distance of 377.24 feet; thence North 35°09'02" West 100.08 feet; thence North 36°18'17" West 245.70 feet; thence North 55°41'33" East 18.66 feet to the **POINT OF BEGINNING.**

Basis of bearings

Coordinates, bearings and distances shown are on California Coordinate System of 1983 Zone 2 (1984 adjustment). Multiply grid distances shown by 1.0001861 to obtain ground distances.

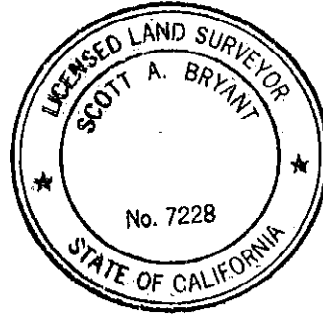
This conveyance is made for the purpose of a freeway and the GRANTOR hereby releases and relinquishes to the STATE any and all abutter's rights of access, appurtenant to GRANTOR's remaining property, in and to the freeway.

Number
34083-1

This real property description has been prepared
By me, under my direction, in conformance
with the Professional Land Surveyors Act.

Signature: Scott A. Bryant

Date: 1/24/17



Number
34083-1

The GRANTOR further understands that the present intention of the STATE is to construct and maintain a public highway on the lands hereby conveyed and the GRANTOR, for itself and its successors and assigns, hereby waive any and all claims for damages to GRANTOR's remaining property contiguous to the property hereby conveyed by reason of the location, construction, landscaping or maintenance of the highway.

Dated: _____

[Name of Corporation]

 [Name of Grantor]
 [Title]

 [Name of Grantor]
 [Title]

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 _____)

On _____ before me, _____
 (insert name and title of the officer)

personally appeared _____,
 who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of 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 true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

Number
34083-1

This is to certify that the State of California, acting by and through the Department of Transportation (according to Section 27281 of the Government Code), accepts for public purposes the real property described in this deed and consents to its recordation.

Dated _____

By _____
Director of Transportation

By _____
Attorney in Fact

Space above this line for Recorder's Use

GRANT DEED

District	County	Route	Postmile	Number
03	SAC	99	12.9	34084-1

City of Elk Grove, a municipal corporation,
a corporation organized and existing under and by virtue of the laws of the State of California,

hereinafter called GRANTOR, hereby grants to the State of California, Department of Transportation,
hereinafter called STATE, all that real property in the City of Elk Grove, County of Sacramento, State of
California, described as follows:

See Exhibit "A", attached.

Number
34084-1

EXHIBIT "A"

All that real property situated in the City of Elk Grove, County of Sacramento, State of California, lying in Section 1, Township 6 North, Range 5 East, M.D.M and being a portion of West Stockton Boulevard being more particularly described as follows:

BEGINNING at a point on the easterly right of way of Route 99, said point being the Northerly terminus of that certain line cited as "North 27°31'00" West 1,569.65'" as shown on the certain California Department of Transportation Right of Way Map, Route 4, Section B, Sheet No. 2, dated June 4, 1956, and filed in Map Book 4 at Page 32, Sacramento County Records and also on file with the California Department of Transportation District 3 Right of Way Office, thence along said Right of Way the following (2) two courses;

- 1) North 20°34'09" West 85.71 feet; and
- 2) North 11°14'24" West 125.29 feet;

thence leaving said Right of Way South 19°59'39" East 316.95 feet; thence South 27°44'43" East 1.60 feet; thence North 62°03'33" East 0.50 feet; thence South 27°44'43" East 318.06 feet; thence South 31°11'05" East 101.21 feet; thence South 24°10'01" East 126.41 feet to said easterly right of way; thence along last said right of way North 27°56'27" West 655.74 feet to the **POINT OF BEGINNING**.

Basis of bearings

Coordinates, bearings and distances shown are on California Coordinate System of 1983 Zone 2 (1984 adjustment). Multiply grid distances shown by 1.0001861 to obtain ground distances.

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

This real property description has been prepared
By me, under my direction, in conformance
with the Professional Land Surveyors Act.

Number
34084-1

Signature: Scott A. Bryant

Date: 1/24/17



Number
34084-1

The GRANTOR further understands that the present intention of the STATE is to construct and maintain a public highway on the lands hereby conveyed and the GRANTOR, for itself and its successors and assigns, hereby waive any and all claims for damages to GRANTOR's remaining property contiguous to the property hereby conveyed by reason of the location, construction, landscaping or maintenance of the highway.

Dated: _____

[Name of Corporation]

 [Name of Grantor]
 [Title]

 [Name of Grantor]
 [Title]

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 _____)

On _____ before me, _____
 (insert name and title of the officer)

personally appeared _____,
 who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
 subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
 his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
 person(s), or the entity upon behalf of 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 true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

Number
34084-1

This is to certify that the State of California, acting by and through the Department of Transportation (according to Section 27281 of the Government Code), accepts for public purposes the real property described in this deed and consents to its recordation.

Dated _____

By _____
Director of Transportation

By _____
Attorney in Fact

Space above this line for Recorder's Use

GRANT DEED

District	County	Route	Postmile	Number
03	SAC	99	12.9	34085-1

City of Elk Grove, a municipal corporation,
a corporation organized and existing under and by virtue of the laws of the State of California,

hereinafter called GRANTOR, hereby grants to the State of California, Department of Transportation,
hereinafter called STATE, all that real property in the City of Elk Grove, County of Sacramento, State of
California, described as follows:

See Exhibit "A", attached.

Number
34085-1

EXHIBIT "A"

All that real property situated in the City of Elk Grove, County of Sacramento, State of California, lying in Section 36, Township 7 North, Range 5 East, M.D.M and being a portion of East Stockton Boulevard being more particularly described as follows:

BEGINNING at a point on the easterly right of way of Route 99, said point being the southerly terminus of that certain line cited as "North 27°42'34" West 342.35" as shown on the certain California Department of Transportation Right of Way Map, Route 4, Section B, Sheet No. 2, dated June 4, 1956, and filed in Map Book 4 at Page 32, Sacramento County Records and also on file with the California Department of Transportation District 3 Right of Way Office, thence along said right of way the following (5) five courses;

- 1) North 28°08'01" West 342.35 feet;
- 2) North 27°27'32" West 351.95 feet;
- 3) North 21°25'27" West 272.64 feet; to the beginning of a curve, concave easterly, having a radius of 19,927.00 feet;
- 4) Along said curve, through a central angle of 01°26'00", an arc distance of 498.50 feet; and
- 5) North 19°59'27" West 1,003.16 feet;

thence leaving said right of way line North 70°13'28" East 3.60 feet; thence South 20°43'12" East 359.96 feet to the beginning of a non-tangent curve, concave easterly, having a radius of 10,004.05 feet; and to which beginning a radial line bears North 70°00'33" East; thence southerly along said curve, through a central angle of 00°43'45", an arc distance of 127.31 feet; thence South 19°59'27" East 457.76 feet to the beginning of a curve, concave easterly, having a radius of 10,004.00 feet; thence southerly along said curve, through a central angle of 00°37'11", an arc distance of 108.22 feet; thence South 20°36'42" East 310.66 feet to the beginning of a curve, concave easterly, having a radius of 3,004.00 feet; thence southerly along said curve, through a central angle of 02°00'31", an arc distance of 105.32 feet; thence South 22°37'15" East 249.24 feet to the beginning of a curve, concave northeasterly, having a

Number
34085-1

radius of 2,504.00 feet; thence southerly along said curve, through a central angle of 04°55'57", an arc distance of 215.56 feet; thence South 27°33'08" East 189.55 feet; thence South 37°53'18" East 348.24 feet; thence South 62°01'47" West 71.87 feet to the **POINT OF BEGINNING**.

Basis of bearings

Coordinates, bearings and distances shown are on California Coordinate System of 1983 Zone 2 (1984 adjustment). Multiply grid distances shown by 1.0001861 to obtain ground distances.

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

This real property description has been prepared
By me, under my direction, in conformance
with the Professional Land Surveyors Act.

Signature: Scott A Bryant

Date: 1/24/17



Number
34085-1

The GRANTOR further understands that the present intention of the STATE is to construct and maintain a public highway on the lands hereby conveyed and the GRANTOR, for itself and its successors and assigns, hereby waive any and all claims for damages to GRANTOR's remaining property contiguous to the property hereby conveyed by reason of the location, construction, landscaping or maintenance of the highway.

Dated: _____

[Name of Corporation]

 [Name of Grantor]
 [Title]

 [Name of Grantor]
 [Title]

ACKNOWLEDGMENT

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State of California
 County of _____)

On _____ before me, _____
 (insert name and title of the officer)

personally appeared _____,
 who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
 subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
 his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
 person(s), or the entity upon behalf of 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 true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

Number
34085-1

This is to certify that the State of California, acting by and through the Department of Transportation (according to Section 27281 of the Government Code), accepts for public purposes the real property described in this deed and consents to its recordation.

Dated _____

By _____
Director of Transportation

By _____
Attorney in Fact

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2017-056

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

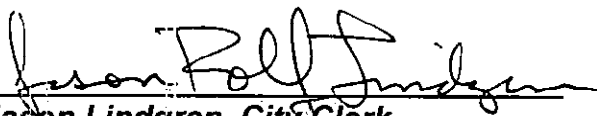
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on March 22, 2017 by the following vote:

AYES : **COUNCILMEMBERS:** ***Ly, Detrick, Hume, Nguyen, Suen***

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

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

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



Jason Lindgren, City Clerk
City of Elk Grove, California