

RESOLUTION NO. 2020-151

**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 KAMMERER ROAD RECONSTRUCTION
BRUCEVILLE ROAD TO BIG HORN BOULEVARD PROJECT (WTR018) AND THE
SEPA SHED “C” CHANNEL RIGHT-OF-WAY AND PERMITTING PROJECT
(WDR037)**

**(Valim / APNs: 132-0300-018; 132-0300-019 and adjacent property to the
east in use by Valim but with no clear title vesting interest)
(NO FURTHER CEQA REVIEW REQUIRED)**

WHEREAS, improving and extending Kammerer Road between Lent Ranch Parkway and Bruceville Road is a priority to the City of Elk Grove, and acquiring the necessary right-of-way and other property interests to construct the project, and assisting with the required residential relocation, is an important and necessary step in the Kammerer Road Reconstruction Bruceville Road to Big Horn Boulevard Project (WTR018) (“Kammerer Road Project”); and

WHEREAS, the Kammerer Road Project, including its improvements, is necessary to ensure that the roadway system operates at an acceptable level of service, to provide for efficient and safe traffic circulation and access, and to generally further public safety and the general community welfare in a manner consistent with the City’s General Plan; and

WHEREAS, improving the mid-reach portion of the Shed “C” Drainage Channel is a priority to the City of Elk Grove and acquiring the necessary property interests to construct the project is an important and necessary step in the Shed “C” Channel Right-of-Way and Permitting Project (WDR037) (“Shed ‘C’ Project”); and

WHEREAS, the Shed “C” Project, including its improvements, is necessary for flood control, hydromodification, and stormwater quality treatment in a manner consistent with the City’s Southeast Policy Area Community Plan; and

WHEREAS, it is necessary to acquire certain real property interests (Property Interests) for the construction, operation and maintenance of right-of-way and related improvements as part of the Kammerer Road Project and for the construction, operation and maintenance of drainage facilities for the Shed “C” Project; and

WHEREAS, the City has investigated and examined alternatives to the Kammerer Road Project and the Shed “C” Project (altogether, Project) and the acquisition of the Property Interests, and concluded that both the Projects and acquisition of the Property Interests for the Projects are necessary; and

WHEREAS, the Property Interests which are the subject of this Resolution of Necessity consist of a fee interest for roadway purposes, an easement interest for public facilities and public utilities, a temporary construction easement, and a fee interest for drainage purposes, all of which are more particularly described and depicted in Exhibits “A-1,” “A-2,” “A-3,” “A-4,” “A-5,” “B-1,” “B-2,” “B-3,” “B-4,” “B-5,” “C-1,” “C-2,” “C-3,” “C-4,” “C-5,” “D-1,” “D-2,” “D-3,” “D-4,” and “D-5,” which are attached hereto and are incorporated herein. The Sacramento County Assessor has designated the Property Interests as a portion of APNs: 132-0300-018, 132-0300-019, and adjacent property to the east occupied by the owner but not showing clear vested title; and

WHEREAS, the Property Interests described and depicted in Exhibits “A-1,” “A-2,” “A-3,” “A-4,” “A-5,” “B-1,” “B-2,” “B-3,” “B-4,” “B-5,” “C-1,” “C-2,” “C-3,” “C-4,” “C-5,” “D-1,” “D-2,” “D-3,” “D-4,” and “D-5,” are required for a more necessary public use than the use to which the property is appropriated pursuant to California Code of Civil Procedure §1240.610 *et seq.*; and

WHEREAS, a portion of the Property Interest, as described and depicted in Exhibits “D-1,” “D-2,” “D-3,” “D-4,” and “D-5,” will have little or no economic value to the owner in the after condition and therefore is a remainder, pursuant to California Code of Civil Procedure §1240.150 and 1240.410; and

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

WHEREAS, the Project is a project under California Environmental Quality Act (§21000 *et seq.* of the Public Resources Code, hereinafter referred to as CEQA), which requires that cities consider the environmental consequences of their actions before approving a project; and

WHEREAS, the potential environmental impacts of the property acquisition needed for the Kammerer Road Project were previously analyzed as part of the Capital SouthEast Connector – A1/A2 Kammerer Road Project Initial Study/Mitigated Negative Declaration (State Clearinghouse #2018022061); and

WHEREAS, the potential environmental impacts of the Capital SouthEast Connector – A1/A2 Kammerer Road Project were previously disclosed and analyzed in an Initial Study/Mitigated Negative Declaration (State Clearinghouse #2018022061) by the Joint Powers Authority for the Capital SouthEast Connector (Connector JPA), who acted as the CEQA lead agency. The Initial Study resulted in approval of a Mitigated Negative Declaration and adoption of a Mitigation, Monitoring, and Reporting Program (MMRP) on December 14, 2018; and

WHEREAS, the Connector JPA acted as the CEQA lead agency for the Capital SouthEast Connector - A1/A2 Kammerer Road Project and the City is acting as the Responsible Agency for all portions of the Capital SouthEast Connector - A1/A2 Kammerer Project; and

WHEREAS, the potential environmental impacts of the property acquisition needed for the Shed “C” Project were previously analyzed as part of the Southeast Policy Area Special Planning Area (SEPA) (State Clearinghouse #2013042054) Environmental Impact Report (EIR); and

WHEREAS, the potential environmental impacts of SEPA, which includes the Shed “C” Project, resulted in a determination that the project will not have a significant effect on the environment with implementation of the Mitigation Monitoring and Reporting Program (MMRP), and on July 9, 2014, the City of Elk Grove City Council, acting as the CEQA lead agency, certified the SEPA EIR, approved the project, and adopted the MMRP; and

WHEREAS, no substantial changes are proposed to either project and there are no substantial changes in circumstances or new information that would require revisions to the respective MMRPs or EIRs and therefore, no further environmental review is required under CEQA; and

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

WHEREAS, as a result of the hearing held on June 24, 2020, and in accordance with the provisions of California Code of Civil Procedure §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.
2. Upon examination of the alternatives, the City of Elk Grove requires the Property Interests for the Project.
3. The City of Elk Grove is authorized to acquire the Property Interests pursuant to the provisions of California Government Code §§37350.5, 40401 and 40404 and the provisions of California Eminent Domain Law comprising Title 7, Part 3 of the California Code of Civil Procedure (commencing at §1230.010), including §§1240.120, 1240.150, 1240.410, *et seq.*, and 1240.610, *et seq.*
4. The acquisition of the Property Interests for Project purposes is authorized by §1240.010 of the California Code of Civil Procedure and California Government Code §37350.5, whereby the acquisition promotes public safety and general community welfare and is therefore a public use.
5. The City of Elk Grove hereby finds, determines, and declares:
 - a. The public interest and necessity require the proposed Project;
 - 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;
 - c. The Property Interests described and depicted in Exhibits "A-1," "A-2," "A-3," "A-4," "A-5," "B-1," "B-2," "B-3," "B-4," "B-5," "C-1," "C-2," "C-3," "C-4," "C-5," "D-1," "D-2," "D-3," "D-4," and "D-5," are necessary for the purposes of construction, operation, and maintenance of the proposed Project, and/or such acquisition is authorized pursuant to California Code of Civil Procedure §§1240.120, 1240.150, 1240.410, *et seq.*, and 1240.610, *et seq.*; and
 - d. Prior to making the above findings and determinations, the offer required by §7267.2 of the California Government Code was made to the owner(s) of record of the property interests described and depicted in Exhibits "A-1," "A-2," "A-3," "A-4," "A-5," "B-1," "B-2," "B-3," "B-4," "B-5," "C-1," "C-2," "C-3," "C-4," "C-5," "D-1," "D-2," "D-3," "D-4," and "D-5."

6. The City Attorney, through the City Attorney's Office and/or outside legal counsel under the supervision of the City Attorney, is hereby authorized and directed to prepare, commence, and prosecute proceedings in eminent domain in the Sacramento County Superior Court to acquire for the City of Elk Grove the Property Interests described and depicted in Exhibits "A-1," "A-2," "A-3," "A-4," "A-5," "B-1," "B-2," "B-3," "B-4," "B-5," "C-1," "C-2," "C-3," "C-4," "C-5," "D-1," "D-2," "D-3," "D-4," and "D-5." 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.
7. The City Manager, or designee, is hereby authorized and directed to disburse all funds required by the City Attorney to make any and all deposits to obtain possession of and title to the Property Interests, including, but not limited to, deposit of the probable amount of compensation pursuant to California Code of Civil Procedure §1255.010, *et seq.*

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 24th day of June 2020



STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

EXHIBIT "A-1"

No Fee Document – Per Government Code §6103 & §27383
No Documentary Transfer Tax – Per R&T Code §11922

Recording Requested By and When Recorded Return To:

City of Elk Grove
Attn: City Clerk
8401 Laguna Palms Way
Elk Grove, CA 95758

Mail Tax Statements To:

Norberto and Francisca Valim
8109 Kammerer Road
Elk Grove, CA 95757

Project Name: Kammerer Road Extension, Phase II (WTR018)
Address: 8109 Kammerer Road
APNs: ptn. of 132-0300-018 and 132-0300-019

The Above Space For Recorder's Use Only

GRANT DEED

FOR VALUABLE CONSIDERATION, receipt and sufficiency of which is hereby acknowledged, the **NORBERTO G. VALIM and FRANCISCA R. VALIM, as Trustees of the Valim Family Trust initially established on May 22, 2003** (“GRANTOR”), hereby grants to the **CITY OF ELK GROVE, a municipal corporation** (“GRANTEE”), all that certain real property situated in the City of Elk Grove, County of Sacramento, State of California, described as follows:

See Exhibits “A-1” and “A-2,” legal descriptions, and Exhibits “B-1” and “B-2,” plat maps, attached hereto and made a part hereof.

The properties described in Exhibits “A-1” and “A-2” are for Public Street and Highway purposes to be known as Kammerer Road.

Executed this _____ day of _____, 20_____

GRANTOR: NORBERTO G. VALIM and FRANCISCA R. VALIM, as Trustees of the Valim Family Trust initially established on May 22, 2003

By: _____
Norberto G. Valim, Trustee of the Valim Family
Trust initially established on May 22, 2003

By: _____
Francisca R. Valim, Trustee of the Valim Family
Trust initially established on May 22, 2003

THIS TRANSACTION IS EXEMPT FROM CALIFORNIA DOCUMENTARY TRANSFER TAX PURSUANT TO SECTION 11922 OF THE CALIFORNIA REVENUE AND TAXATION CODE. THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT TO SECTIONS 6103 and 27383 OF THE CALIFORNIA GOVERNMENT CODE.

EXHIBIT "A-2"
EXHIBIT "A"
PORTION OF APN:132-0300-018 & 019
FEE SIMPLE ACQUISITION

All that real property situated in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

All that portion of the South 1/2 of the Northwest 1/4 Section 14, Township 6 North, Range 5 East, Mount Diablo Meridian, more particularly described as follows:

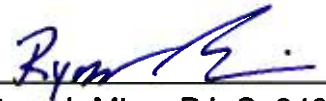
Beginning at the Southwest corner of the Northwest 1/4 of said Section 14; thence along the West line of said Section 14 North 00°53'19" West, 94.18 feet; thence leaving said West line North 88°36'44" East, 627.22 feet to the East line of the West 19 Acres of the South 1/2 of the Northwest 1/4 of said Section 14; thence along said East line South 00°53'19" East, 94.18 feet to the South line of the Northwest 1/4 of said Section 14, said line also being the centerline of Kammerer Road; thence along said South line South 88°36'44" West, 627.22 feet to the Point of Beginning, containing 1.356 acres more or less.

See Exhibit "B" attached hereto and made a part of this description.

End of Description

The **Basis of Bearings** for this legal description is the centerline of Kammerer Road as shown on the Record of Survey filed in Book 91 of Surveys, at Page 18, of Official Records of Sacramento County.

This description has been prepared by me or under my direct supervision in conformance with the Professional Land Surveyors Act.


Ryan L Ming, P.L.S. 8409

2/03/2020
Date

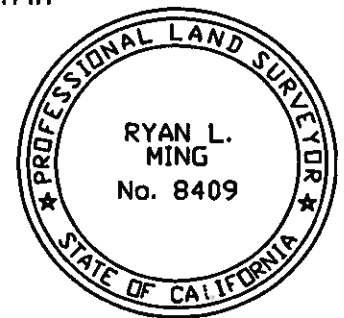


EXHIBIT "A-3"



1"=200'

ALQUADRI
BK 20121203 PC 1482
132-0300-015

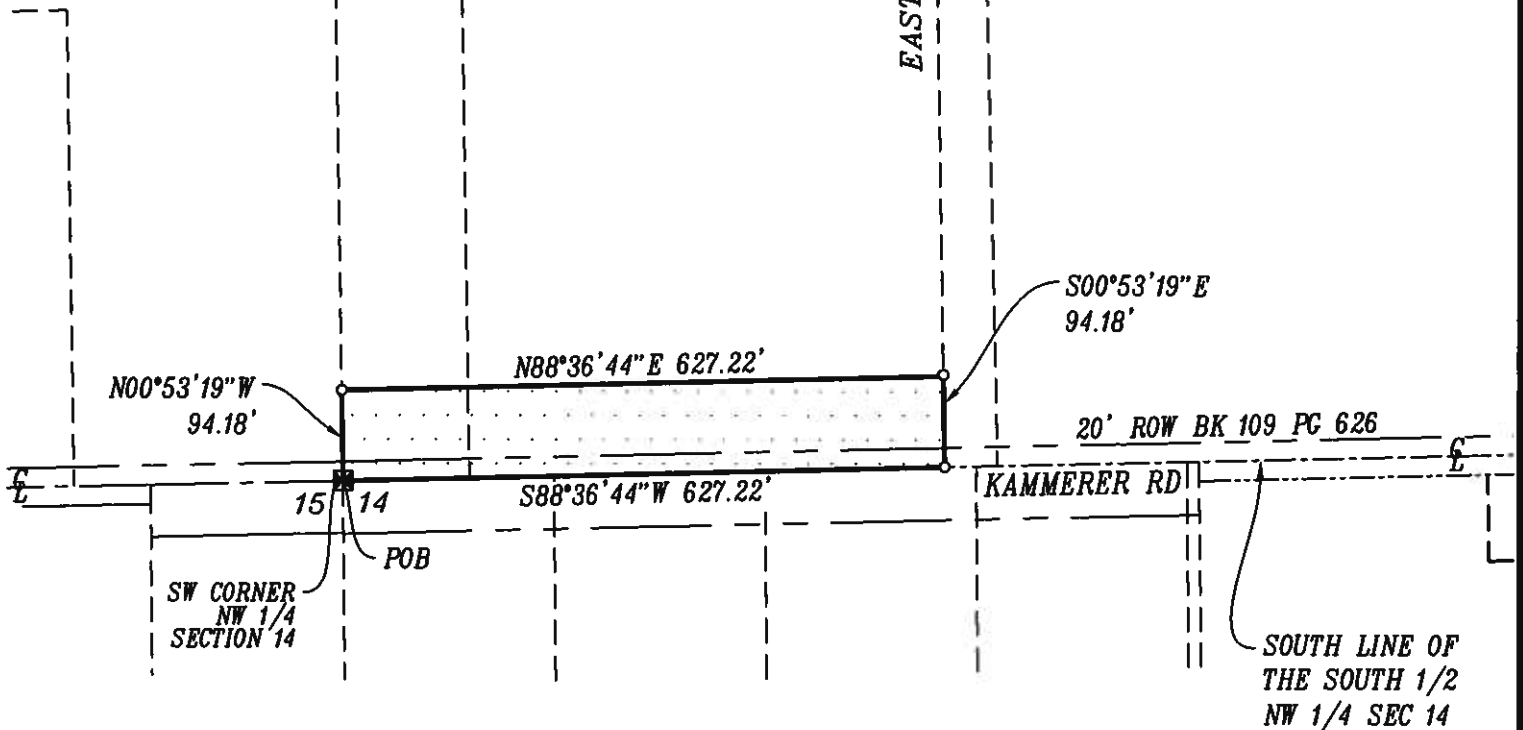
WEST LINE OF SECTION 14

EAST LINE OF THE WEST 4 ACRES

VALIM
BK 20030604 PC 1099
132-0300-018 & 019

EAST LINE OF THE WEST 19 ACRES

PESCHEL
BK 20050428 PC 1053
132-0300-020



LEGEND

FEE SIMPLE ACQUISITION 1.356 AC±

APN.....ASSESSORS PARCEL NUMBER

BK.....BOOK

CL.....CENTERLINE

PC.....PAGE

POB.....POINT OF BEGINNING

ROW.....RIGHT OF WAY



EXISTING ROW.....0.288 AC±
FEE SIMPLE ACQUISITION.....1.068 AC±
TOTAL FEE SIMPLE ACQUISITION.....1.356 AC±

EXHIBIT B

FEE SIMPLE ACQUISITION
PORTION OF APN: 132-0300-018 & 019



110 BLUE RAVINE RD SUITE 101 | FOLSOM, CA 95630
PHONE: 916.900.6623 | uniconengineering.com

EXHIBIT "A-4"

EXHIBIT "A"

FEE SIMPLE ACQUISITION

All that real property situated in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

All that portion of the South 1/2 of the Northwest 1/4 Section 14, Township 6 North, Range 5 East, Mount Diablo Meridian, more particularly described as follows:

Beginning at the intersection of the East line of the West 19 acres of the South 1/2 of the Northwest 1/4 of said Section 14 and the South line of the South 1/2 of the Northwest 1/4 of said Section 14, said South line being the centerline of Kammerer Road from which the Southwest corner of the Northwest 1/4 of said Section 14 bears South 88°36'44" West, 627.22 feet; thence along said East line North 00°53'19" West, 94.18 feet; thence leaving said East line North 88°36'44" East, 54.26 feet to the West line of the East 60 acres of the South 1/2 of the Northwest 1/4 of said Section 14; thence along said West line South 01°13'38" East 94.17 feet to the South line of the South 1/2 of the Northwest 1/4 of said Section 14, said South line being the centerline of Kammerer Road; thence along said South line South 88°36'44" West, 54.81 feet to the Point of Beginning, containing 0.118 acres more or less.

See Exhibit "B" attached hereto and made a part of this description.

End of Description

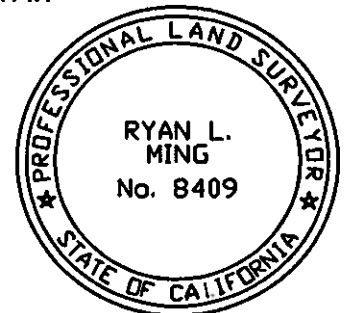
The **Basis of Bearings** for this legal description is the centerline of Kammerer Road as shown on the Record of Survey filed in Book 91 of Surveys, at Page 18, of Official Records of Sacramento County.

This description has been prepared by me or under my direct supervision in conformance with the Professional Land Surveyors Act.



Ryan L Ming, P.L.S. 8409

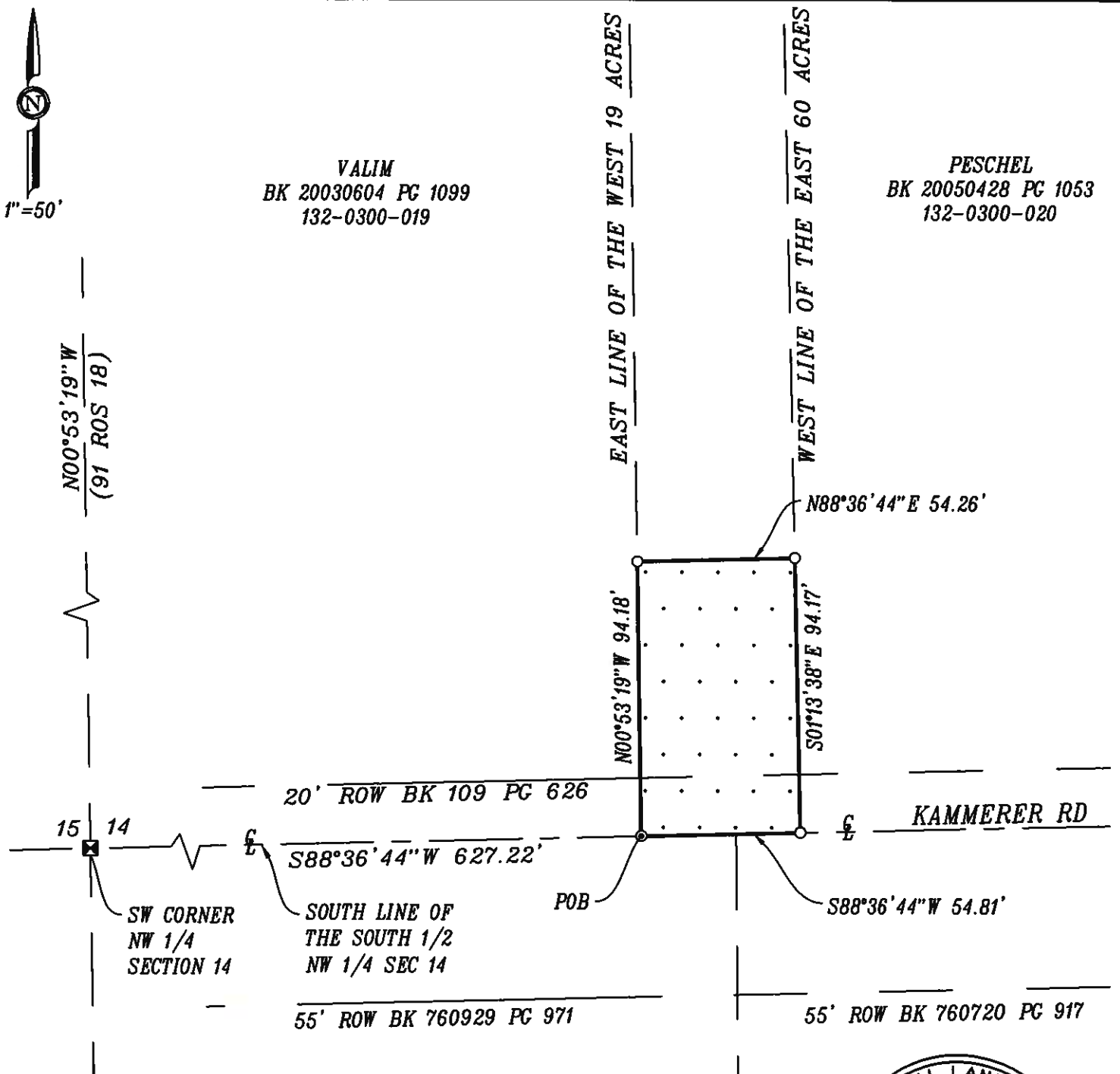
2/06/2020
Date





VALIM
BK 20030604 PG 1099
132-0300-019

PESCHEL
BK 20050428 PG 1053
132-0300-020



LEGEND

FEE SIMPLE ACQUISITION 0.118 AC±

- APN.....ASSESSORS PARCEL NUMBER
- BK.....BOOK
- CL.....CENTERLINE
- PG.....PAGE
- POB.....POINT OF BEGINNING
- ROS.....RECORD OF SURVEY
- ROW.....RIGHT OF WAY



EXISTING MAINTAINED ROW.....0.025 AC±
FEE SIMPLE ACQUISITION.....0.093 AC±
TOTAL FEE SIMPLE ACQUISITION.....0.118 AC±

EXHIBIT B

FEE SIMPLE ACQUISITION

PORTION OF THE S 1/2 OF THE NW-1/4 SEC 14, T6N,R5E, MDM

CITY OF ELK GROVE COUNTY OF SACRAMENTO STATE OF CALIFORNIA



110 BLUE RAVINE RD SUITE 101 | FOLSOM, CA 95630
PHONE: 916.900.6623 | uniconengineering.com

EXHIBIT "B-1"

No Fee Document – Per Government Code §6103 & §27383
No Documentary Transfer Tax – Per R&T Code §11922

Recording Requested By and When Recorded Return To:

City of Elk Grove
Attn: City Clerk
8401 Laguna Palms Way
Elk Grove, CA 95758

Mail Tax Statements To:

Norberto and Francisca Valim
8109 Kammerer Road
Elk Grove, CA 95757

Project Name: Kammerer Road Extension Project, Phase II
(WTR018)

APNs: ptn. of 132-0300-018 and 132-0300-019

The Above Space for Recorder's Use Only

GRANT OF EASEMENT (for Public Facilities and Public Utilities)

FOR VALUABLE CONSIDERATION, receipt and sufficiency of which is hereby acknowledged, **NORBERTO G. VALIM and FRANCISCA R. VALIM, as Trustees of the Valim Family Trust initially established on May 22, 2003** (“GRANTOR”), hereby grants to the **CITY OF ELK GROVE, a municipal corporation** (“GRANTEE”), an Easement for Public Facilities and Public Utilities (“Public Facilities and Public Utilities Easement”), inclusive of drainage facilities, multi-use paths, bus shelters, traffic signal facilities, traffic control devices and other signage including foundations, standards, conduit, installation and maintenance of electroliers (altogether “Public Facilities”), underground electrical lines, conduits, wires and cables, water, recycled water lines and gas pipes, sewer pipes, drainage pipes, television, telephone and communication services, appurtenances associated with the overhead public utilities pole line (does not include actual overhead public utilities pole line), including crossarms, braces, transformers, capacitors, switches, anchors, guy wires, guy stubs, and all other fixtures and appurtenances as City may deem necessary (altogether “Public Utilities”), and for other incidental purposes as deemed necessary by the City; all together with any and all appurtenances pertaining thereto, including the right to excavate, construct, reconstruct, repair, operate and forever maintain said Public Facilities and Public Utilities appertaining thereto, including a right-of-way over, upon and across all that real property situated in the City of Elk Grove, Unincorporated County of Sacramento, State of California, described as follows:

See Exhibits “A-1” and “A-2,” legal descriptions, and Exhibits “B-1” and “B-2,” plat maps, attached hereto and made a part hereof.

Together with an overhead public utilities pole line (“Pole Line”), which shall be placed at the ultimate grade in connection with the ultimate roadway design, including the right to excavate, construct, reconstruct, repair, operate and forever maintain said Facilities and Pole Line appertaining thereto, including a right-of-way over, upon and across all that real property, situated in the City of Elk Grove, County of Sacramento, State of California, described as follows:

- 1.) The North 10.00 feet of the land described in Exhibits “A-1” and “A-2” and shown on Exhibits “B-1” and “B-2,” attached hereto and made a part hereof;**

Altogether with the right of ingress and egress from said Easement Areas, for the purposes of exercising and performing all of the rights and privileges herein granted.

EXHIBIT "B-1"

Page 2 of 2

The City, in its sole discretion, shall make the final determination as to where the Public Utilities will locate initially so that such location shall not conflict with the City's Public Facilities. Public Utilities shall receive approval of their joint trench location and design prior to locating and shall place Public Utilities at the ultimate grade in connection with the ultimate roadway design (City coordination is required).

Executed this _____ day of _____, 20__.

GRANTOR: NORBERTO G. VALIM and FRANCISCA R. VALIM, as Trustees of the Valim Family Trust initially established on May 22, 2003

By: _____
Norberto G. Valim, Trustee of the Valim
Family Trust initially established on
May 22, 2003

By: _____
Francisca R. Valim, Trustee of the Valim
Family Trust initially established on
May 22, 2003

EXHIBIT "B-2"
EXHIBIT "A"
PORTION OF APN:132-0300-018 & 019
PUBLIC FACILITIES & PUBLIC UTILITY
EASEMENT

All that real property situated in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

All that portion of the South 1/2 of the Northwest 1/4 Section 14, Township 6 North, Range 5 East, Mount Diablo Meridian, more particularly described as follows:

A strip of land 36' feet in width lying Northerly of the following described line:

Commencing at the Southwest corner of the Northwest 1/4 of said Section 14; thence along the West line of said Section 14 North 00°53'19" West, 94.18 feet to the **True Point of Beginning**; thence leaving said West line parallel with the centerline of Kammerer Road being the South line of the Northwest 1/4 of said Section 14 North 88°36'44" East, 627.22 feet to the East line of the West 19 acres of the South 1/2 of the Northwest 1/4 of said Section 14, also being the Point of Terminus, containing 0.518 acres more or less.

The North line of said strip shall be shortened or elongated to begin at the said West line of Section 14 and terminate at the said East line of the West 19 acres.

See Exhibit "B" attached hereto and made a part of this description.

End of Description

The **Basis of Bearings** for this legal description is the centerline of Kammerer Road as shown on the Record of Survey filed in Book 91 of Surveys, at Page 18, of Official Records of Sacramento County.

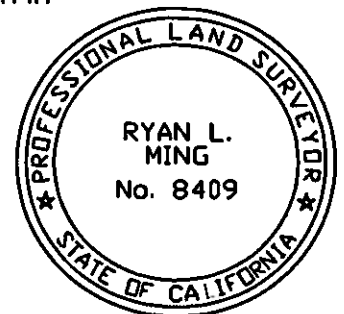
This description has been prepared by me or under my direct supervision in conformance with the Professional Land Surveyors Act.



Ryan L Ming, P.L.S. 8409



Date





1"=200'

ALQUADRI
BK 20121203 PG 1482
132-0300-015

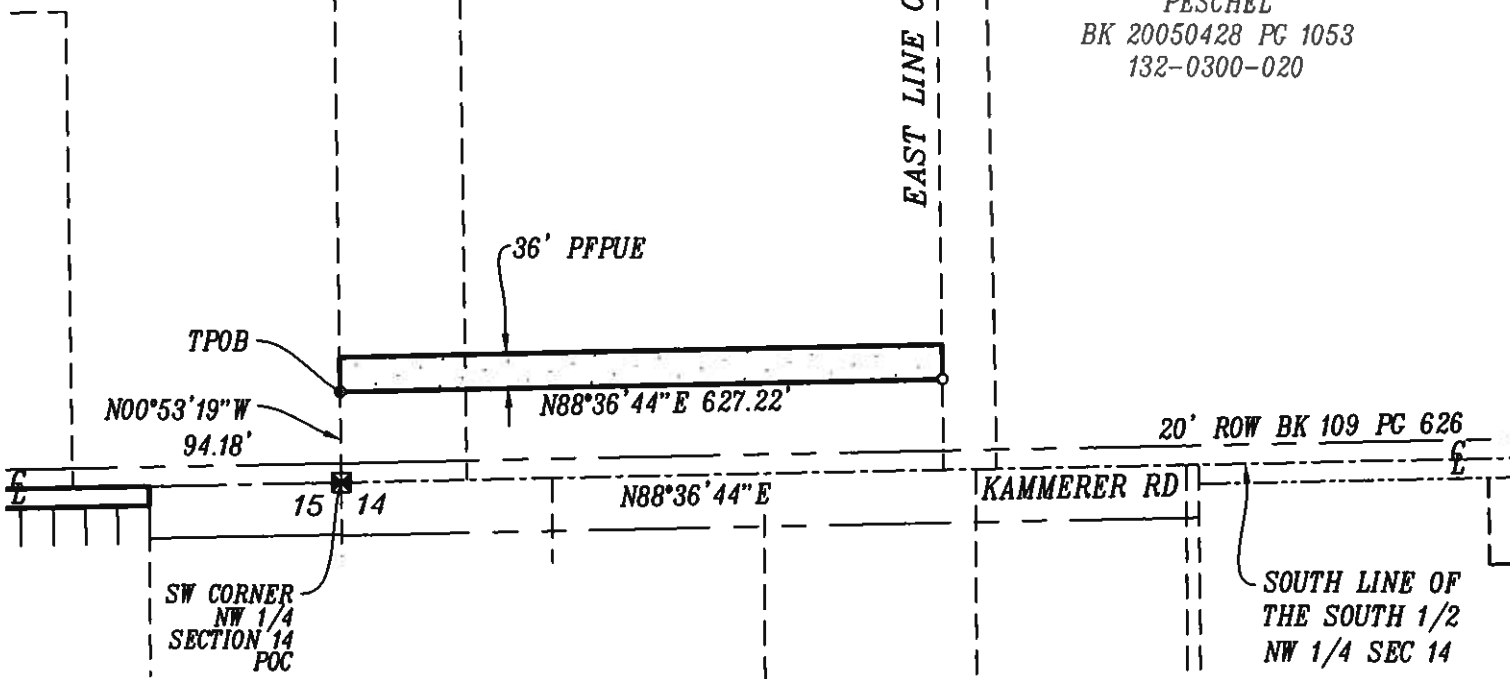
WEST LINE OF SECTION 14

EAST LINE OF THE WEST 4 ACRES

VALIM
BK 20030604 PG 1099
132-0300-018 & 019

EAST LINE OF THE WEST 19 ACRES

PESCHEL
BK 20050428 PG 1053
132-0300-020



LEGEND

PUBLIC FACILITIES & PUBLIC UTILITY EASEMENT 0.518 AC±

- APN.....ASSESSORS PARCEL NUMBER
- BK.....BOOK
- ℄.....CENTERLINE
- PG.....PAGE
- POC.....POINT OF COMMENCEMENT
- ROW.....RIGHT OF WAY
- TPOB.....TRUE POINT OF BEGINNING



EXHIBIT B

PUBLIC FACILITIES & PUBLIC UTILITY EASEMENT
PORTION OF APN: 132-0300-018 & 019



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PHONE: 916.900.6623 | uniconengineering.com

EXHIBIT "B-4"
EXHIBIT "A"
**PUBLIC FACILITIES &
PUBLIC UTILITY EASEMENT**

All that real property situated in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

All that portion of the South 1/2 of the Northwest 1/4 Section 14, Township 6 North, Range 5 East, Mount Diablo Meridian, more particularly described as follows:

Beginning at a point on the East line of the West 19 acres of the South 1/2 of the Northwest 1/4 of said Section 14 from which the Southwest 1/4 of said Section 14 bears the following two (2) courses:

- 1) along the said East line South 00°53'19" East, 94.18 feet to the South line of the South 1/2 of the Northwest 1/4 of said Section 14, said South line being the centerline of Kammerer Road
- 2) along said South line South 88°36'44" West, 627.22 feet to the Southwest corner of the Northwest 1/4 of said Section 14;

thence along said East line of the West 19 acres North 00°53'19" West, 36.00 feet; thence leaving said East line North 88°36'44" East, 54.04 feet to the West line of the East 60 acres of the South 1/2 of the Northwest 1/4 of said Section 14; thence along said West line South 01°13'38" East, 36.00 feet; thence leaving said West line South 88°36'44" West, 54.26 feet to the Point of Beginning, containing 0.045 acres more or less.

See Exhibit "B" attached hereto and made a part of this description.

End of Description

The **Basis of Bearings** for this legal description is the centerline of Kammerer Road as shown on the Record of Survey filed in Book 91 of Surveys, at Page 18, of Official Records of Sacramento County.

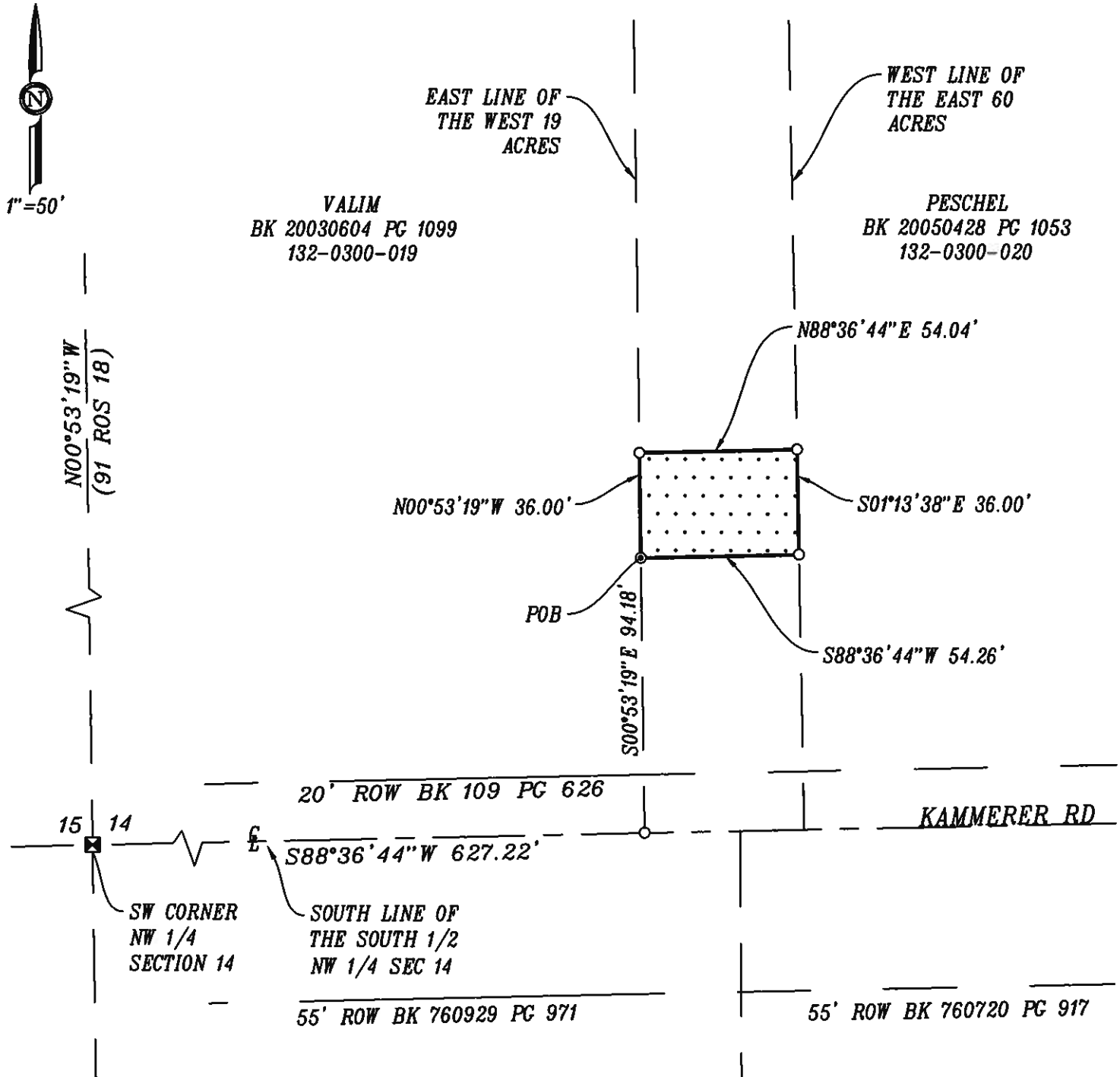
This description has been prepared by me or under my direct supervision in conformance with the Professional Land Surveyors Act.


Ryan L Ming, P.L.S. 8409

2/06/2020
Date



EXHIBIT "B-5"



LEGEND

PUBLIC FACILITIES & PUBLIC UTILITY EASEMENT 0.045 AC±

APN.....ASSESSORS PARCEL NUMBER

BK.....BOOK

℄.....CENTERLINE

PG.....PAGE

POB.....POINT OF BEGINNING

ROS.....RECORD OF SURVEY

ROW.....RIGHT OF WAY



EXHIBIT B

PUBLIC FACILITIES & PUBLIC UTILITY EASEMENT
 PORTION OF THE S 1/2 OF THE NW-1/4 SEC 14, T6N,R5E, MDM

CITY OF ELK GROVE COUNTY OF SACRAMENTO STATE OF CALIFORNIA



110 BLUE RAVINE RD SUITE 101 | FOLSOM, CA 95630
 PHONE: 916.900.6623 | uniconengineering.com

EXHIBIT "C-1"

No Fee Document – Per Government Code §6103 & §27383
No Documentary Transfer Tax – Per R&T Code §11922

Recording Requested By and When Recorded Return To:

City of Elk Grove
Attn: City Clerk
8401 Laguna Palms Way
Elk Grove, CA 95758

Mail Tax Statements To:

Norberto and Francisca Valim
8109 Kammerer Road
Elk Grove, CA 95757

Project Name: Kammerer Road Extension Project, Phase II
(WTR018)
Address: 8109 Kammerer Road Elk Grove, CA
APNs: ptn. of 132-0300-018 & 132-0300-019

The Above Space for Recorder's Use Only

TEMPORARY CONSTRUCTION EASEMENT

FOR VALUABLE CONSIDERATION, receipt and sufficiency of which is hereby acknowledged, **NORBERTO G. VALIM and FRANCISCA R. VALIM, as Trustees of the Valim Family Trust initially established on May 22, 2003** ("GRANTOR"), hereby grant to the **CITY OF ELK GROVE, a municipal corporation** ("GRANTEE"), its successors and assigns, a TEMPORARY CONSTRUCTION EASEMENT ("EASEMENT") for the purpose of public use, inclusive of ingress and egress, including construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public rights-of way, highways, roadways, services, utilities, landscape improvements, and necessary appurtenances thereto, on, over, under and across all that real property situated in the City of Elk Grove, County of Sacramento, State of California, described as follows:

See Exhibits "A-1" and "A-2," legal descriptions, and Exhibits "B-1" and "B-2," plat maps, attached hereto and made a part hereof.

EASEMENT shall become effective on the date the GRANTEE issues Notice to Proceed to the contractor for construction of the Kammerer Road Extension Project, Phase II ("Project") and shall terminate twenty-four (24) months from the date of Notice to Proceed, unless extended by the GRANTEE, for up to twelve (12) months.

GRANTEE shall record a Quitclaim Deed releasing all GRANTEE's right, title and interest in and to this Easement, no later than 60 calendar days following the expiration of the Temporary Construction Easement, or any extension thereto.

Executed this ____ day of _____, 20____

GRANTOR: NORBERTO G. VALIM and FRANCISCA R. VALIM, as Trustees of the Valim Family Trust initially established on May 22, 2003

By: _____
Norberto G. Valim, as Trustee of the Valim Family Trust initially established on May 22, 2003

By: _____
Francisca R. Valim, as Trustee of the Valim Family Trust initially established on May 22, 2003

THIS TRANSACTION IS EXEMPT FROM CALIFORNIA DOCUMENTARY TRANSFER TAX PURSUANT TO SECTION 11922 OF THE CALIFORNIA REVENUE AND TAXATION CODE. THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT TO SECTIONS 6103 and 27383 OF THE CALIFORNIA GOVERNMENT CODE.

EXHIBIT "C-2"

EXHIBIT "A"

**PORTION OF APN:132-0300-018 & 019
TEMPORARY CONSTRUCTION
EASEMENT**

All that real property situated in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

All that portion of the South 1/2 of the Northwest 1/4 Section 14, Township 6 North, Range 5 East, Mount Diablo Meridian, more particularly described as follows:

Commencing at the Southwest corner of the Northwest 1/4 of said Section 14; thence along the West line of said Section 14 North 00°53'19" West, 130.18 feet to the **True Point of Beginning**; thence continuing along said West line North 00°53'19" West, 10.00 feet; thence leaving said West line parallel with the centerline of Kammerer Road North 88°36'44" East, 469.14 feet; thence North 01°27'53" West, 20.00 feet; thence North 88°36'44" East, 60.00 feet; thence North 01°27'53" West, 8.90 feet; thence North 88°32'07" East, 75.00 feet; thence South 01°27'53" East, 29.00 feet; thence North 88°36'44" East, 23.08 feet to the East line of the West 19 acres of the South 1/2 of the Northwest 1/4 of said Section 14; thence along said East line South 00°53'19" East, 10.00 feet; thence parallel with the centerline of Kammerer Road South 88°36'44" West, 627.22 feet to the True Point of Beginning, containing 0.221 acres more or less.

See Exhibit "B" attached hereto and made a part of this description.

End of Description

The **Basis of Bearings** for this legal description is the centerline of Kammerer Road as shown on the Record of Survey filed in Book 91 of Surveys, at Page 18, of Official Records of Sacramento County.

This description has been prepared by me or under my direct supervision in conformance with the Professional Land Surveyors Act.


Ryan L Ming, P.L.S. 8409

2/06/2020
Date



EXHIBIT "C-3"



ALQUADRI
BK 20121203 PG 1482
132-0300-015

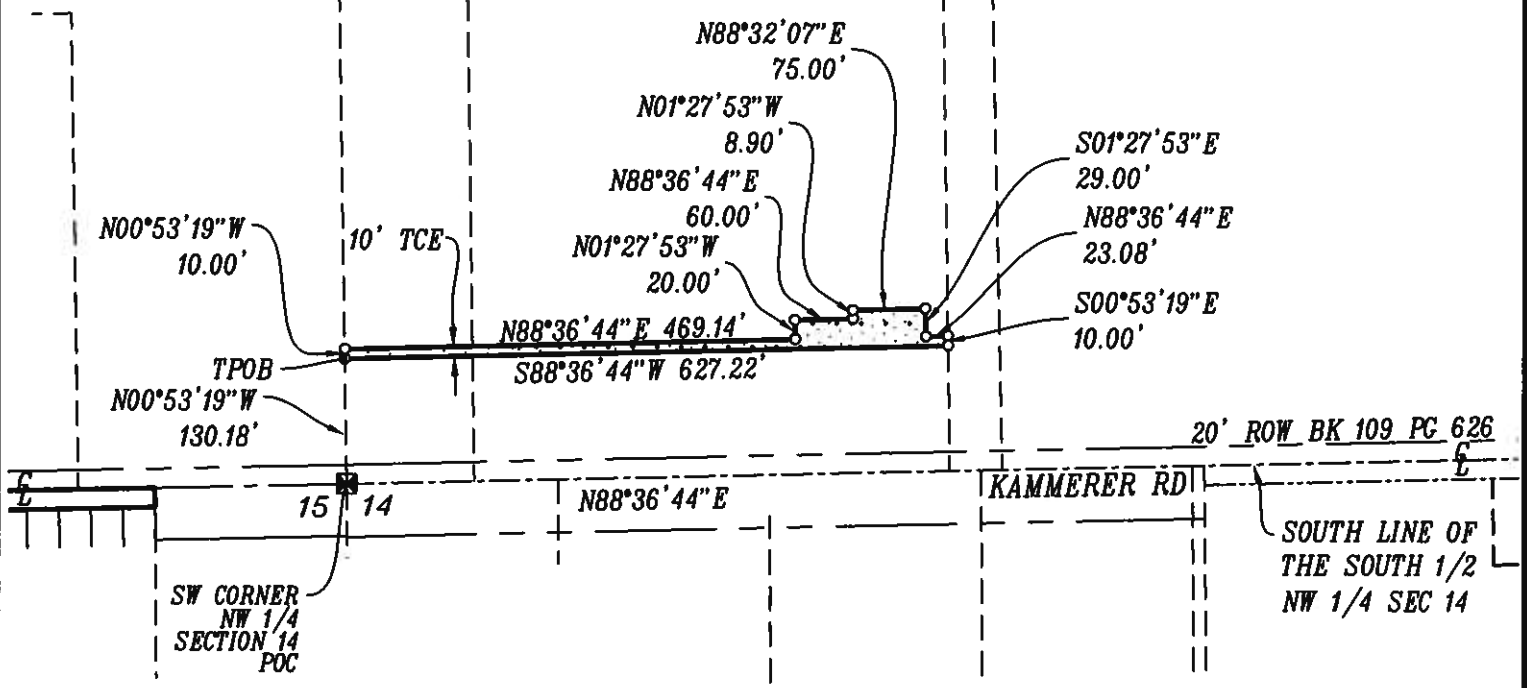
VALIM
BK 20030604 PG 1099
132-0300-018 & 019

PESCHEL
BK 20050428 PG 1053
132-0300-020

WEST LINE OF SECTION 14

EAST LINE OF THE WEST 4 ACRES

EAST LINE OF THE WEST 19 ACRES



LEGEND

TEMPORARY CONSTRUCTION EASEMENT 0.221 AC±

- APN.....ASSESSORS PARCEL NUMBER
- BK.....BOOK
- CL.....CENTERLINE
- PG.....PAGE
- POC.....POINT OF COMMENCEMENT
- TPOB.....TRUE POINT OF BEGINNING
- ROW.....RIGHT OF WAY



EXHIBIT B

TEMPORARY CONSTRUCTION EASEMENT
PORTION OF APN: 132-0300-018 & 019



110 BLUE RAVINE RD SUITE 101 | FOLSOM, CA 95630
PHONE: 916.900.6623 | uniconengineering.com

EXHIBIT "C-4"
EXHIBIT "A"
TEMPORARY CONSTRUCTION
EASEMENT

All that real property situated in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

All that portion of the South 1/2 of the Northwest 1/4 Section 14, Township 6 North, Range 5 East, Mount Diablo Meridian, more particularly described as follows:

A strip of land, ten (10) feet in width, the South line is described as follows:

Beginning at a point on the East line of the West 19 acres of the South 1/2 of the Northwest 1/4 of said Section 14 from which the Southwest 1/4 of said Section 14 bears the following two (2) courses:

- 1) along the said East line South $00^{\circ}53'19''$ East, 130.18 feet to the South line of the South 1/2 of the Northwest 1/4 of said Section 14 said South line being the centerline of Kammerer Road
- 2) along said South line South $88^{\circ}36'44''$ West, 627.22 feet to the Southwest corner of the Northwest 1/4 of said Section 14;

thence leaving said East line North $88^{\circ}36'44''$ East, 54.04 feet to the West line of the East 60 acres of the South 1/2 of the Northwest 1/4 of said Section 14 and the terminus point of said strip, containing 0.012 acres more or less.

The North line of said strip shall be shortened or elongated to begin at the East line of the West 19 acres of the South 1/2 of the Northwest 1/4 of said Section 14 and terminate at the West line of the East 60 acres of the South 1/2 of the Northwest 1/4 of said Section 14.

See Exhibit "B" attached hereto and made a part of this description.

End of Description

The **Basis of Bearings** for this legal description is the centerline of Kammerer Road as shown on the Record of Survey filed in Book 91 of Surveys, at Page 18, of Official Records of Sacramento County.

This description has been prepared by me or under my direct supervision in conformance with the Professional Land Surveyors Act.


Ryan L Ming, P.L.S. 8409

2/06/2020
Date

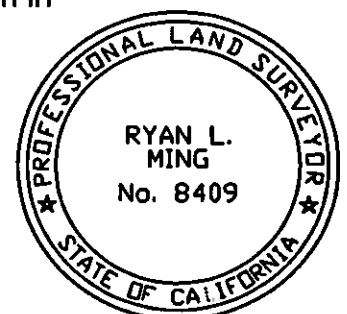
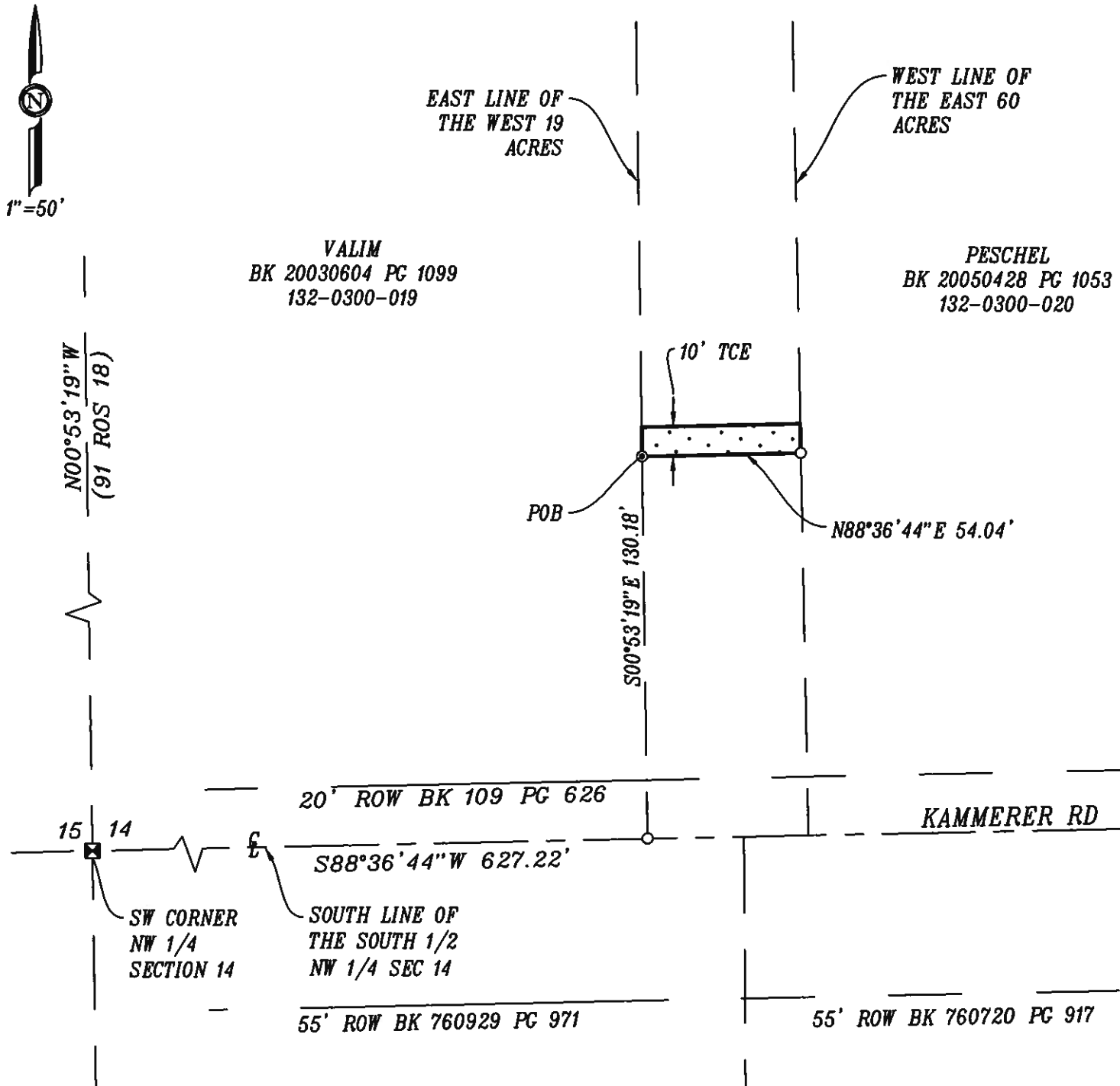


EXHIBIT "C-5"



LEGEND

TEMPORARY CONSTRUCTION EASEMENT 0.012 AC±

APN.....ASSESSORS PARCEL NUMBER

BK.....BOOK

℄.....CENTERLINE

PG.....PAGE

POB.....POINT OF BEGINNING

ROS.....RECORD OF SURVEY

ROW.....RIGHT OF WAY



EXHIBIT B

TEMPORARY CONSTRUCTION EASEMENT
 PORTION OF THE S 1/2 OF THE NW-1/4 SEC 14, T6N,R5E, MDM
 CITY OF ELK GROVE COUNTY OF SACRAMENTO STATE OF CALIFORNIA



110 BLUE RAVINE RD SUITE 101 | FOLSOM, CA 95630
 PHONE: 916.900.6623 | unicoengineering.com

EXHIBIT "D-1"

No Fee Document – Per Government Code §6103 & §27383
No Documentary Transfer Tax – Per R&T Code §11922

Recording Requested By and When Recorded Return To:

City of Elk Grove
Attn: City Clerk
8401 Laguna Palms Way
Elk Grove, CA 95758

Mail Tax Statements To:

Norberto and Francisca Valim
8190 Kammerer Road
Elk Grove, CA 95757

Project Name: SEPA Shed "C" Drainage Improvements Project
(WDR037)

Address: 8109 Kammerer Road

APNs: ptn. of 132-0300-018 and 132-0300-019

The Above Space For Recorder's Use Only

GRANT DEED

FOR VALUABLE CONSIDERATION, receipt and sufficiency of which is hereby acknowledged, the **NORBERTO G. VALIM and FRANCISCA R. VALIM, as Trustees of the Valim Family Trust initially established on May 22, 2003** ("GRANTOR"), hereby grants to the **CITY OF ELK GROVE, a municipal corporation** ("GRANTEE"), all that certain real property situated in the City of Elk Grove, County of Sacramento, State of California, described as follows:

See Exhibits "A-1" and "A-2," legal descriptions, and Exhibits "B-1" and "B-2," plat maps, attached hereto and made a part hereof.

The properties described in Exhibit "A-1" and "A-2" are for drainage purposes to be known as the Shed "C" Drainage Channel.

Executed this _____ day of _____, 20_____

GRANTOR: NORBERTO G. VALIM and FRANCISCA R. VALIM, as Trustees of the Valim Family Trust initially established on May 22, 2003

By: _____
Norberto G. Valim, Trustee of the Valim Family
Trust initially established on May 22, 2003

By: _____
Francisca R. Valim, Trustee of the Valim Family
Trust initially established on May 22, 2003

THIS TRANSACTION IS EXEMPT FROM CALIFORNIA DOCUMENTARY TRANSFER TAX PURSUANT TO SECTION 11922 OF THE CALIFORNIA REVENUE AND TAXATION CODE. THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT TO SECTIONS 6103 and 27383 OF THE CALIFORNIA GOVERNMENT CODE.

EXHIBIT "D-2"

EXHIBIT "A"

**PORTION OF APN:132-0300-018 & 019
SHED "C" FEE SIMPLE ACQUISITION**

All that real property situated in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

All that portion of the South 1/2 of the Northwest 1/4 Section 14, Township 6 North, Range 5 East, Mount Diablo Meridian, more particularly described as follows:

Beginning at a point on the East line of the West 19 Acres of the Northwest 1/4 of said Section 14 from which the Southwest corner of the Northwest 1/4 of said Section 14 bears the following two (2) courses:

1. Along said East line South 00°53'19" East, 1211.23 feet to the South line of the Northwest 1/4 of said Section 14, said line also being the centerline of Kammerer Road;
2. Along said South line South 88°36'44" West, 627.22 feet;

Thence leaving said East line along a non-tangent curve to the left with a radius of 1245.00 feet, having a radial bearing of North 20°59'55" West, through a central angle of 20°17'29", subtended by a chord bearing South 58°51'20" West, 438.62 feet, an arc length of 440.92 feet; thence South 48°42'33" West, 152.72 feet to the East line of the West 4 Acres of South 1/2 of the Northwest 1/4 of said Section 14; thence South 31°22'14" West, 211.40 feet; thence South 48°42'33" West, 25.19 feet to the West line of said Section 14; thence along said West line North 00°53'19" West, 618.35 feet to the North line of the South 1/2 of the Northwest 1/4 of said Section 14; thence along said North line North 88°40'47" East, 627.21 feet to the East line of the West 19 Acres of the South 1/2 of the Northwest 1/4 of said Section 14; thence along said West line South 00°53'19" East, 107.99 feet to the Point of Beginning, containing 4.357 acres more or less.

See Exhibit "B" attached hereto and made a part of this description.

End of Description

The **Basis of Bearings** for this legal description is the centerline of Kammerer Road as shown on the Record of Survey filed in Book 91 of Surveys, at Page 18, of Official Records of Sacramento County.

This description has been prepared by me or under my direct supervision in conformance with the Professional Land Surveyors Act.


Ryan L Ming, P.L.S. 8409


Date

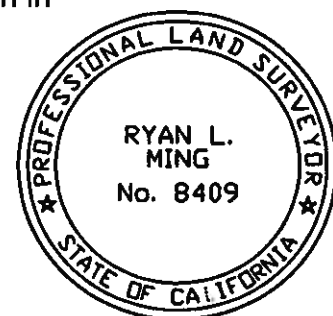
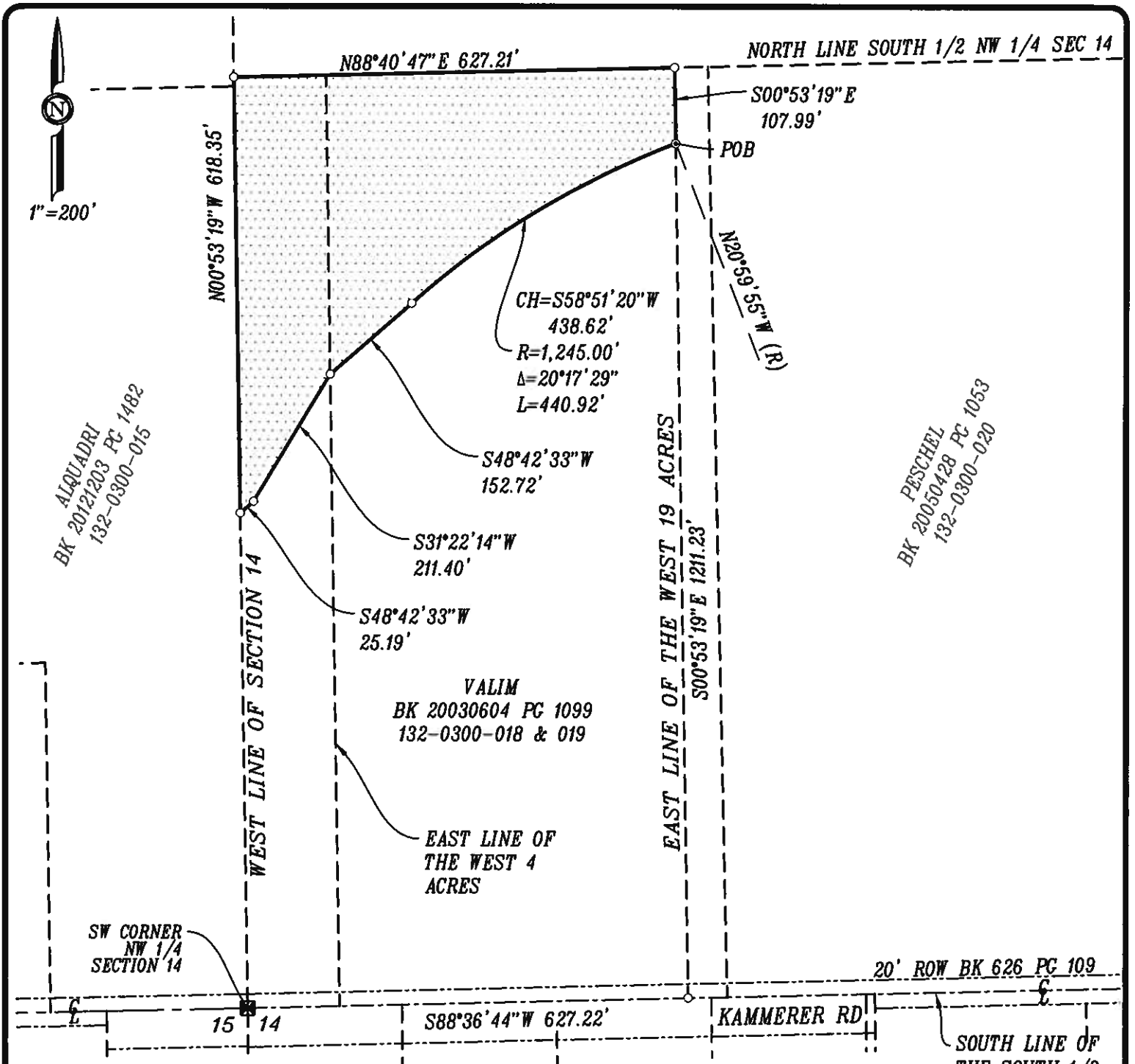


EXHIBIT "D-3"



LEGEND

FEE SIMPLE ACQUISITION 4.357 AC±

APN.....ASSESSORS PARCEL NUMBER

BK.....BOOK

CL.....CENTERLINE

PG.....PAGE

POB.....POINT OF BEGINNING

ROS.....RECORD OF SURVEY

ROW.....RIGHT OF WAY

(R).....RADIAL BEARING



EXHIBIT B

SHED "C" FEE SIMPLE ACQUISITION
 PORTION OF APN: 132-0300-018 & 019



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 PHONE: 916.900.6623 | uniconengineering.com

EXHIBIT "A"

SHED "C" FEE SIMPLE ACQUISITION

All that real property situated in the City of Elk Grove, County of Sacramento, State of California, more particularly described as follows:

All that portion of the South 1/2 of the Northwest 1/4 Section 14, Township 6 North, Range 5 East, Mount Diablo Meridian, more particularly described as follows:

Beginning at a point on the East line of the West 19 acres of the South 1/2 of the Northwest 1/4 of said Section 14 from which the Southwest 1/4 of said Section 14 bears the following two (2) courses:

- 1) along the said East line South 00°53'19" East, 1211.23 feet to the South line of the South 1/2 of the Northwest 1/4 of said Section 14, said South line being the centerline of Kammerer Road
- 2) along said South line South 88°36'44" West, 627.22 feet to the Southwest corner of the Northwest 1/4 of said Section 14

thence along said East line North 00°53'19" West, 107.99 feet to the North line of the South 1/2 of said Section 14; thence along said North line North 88°40'47" East, 47.01 feet to the West line of the East 60 acres of the South 1/2 of the Northwest 1/4 of said Section 14; thence along said West line South 01°13'38" East, 92.01 feet; thence along the arc of a non-tangent curve to the left, with a radius of 1245.00 feet, having a radial bearing of North 18°41'04" West, through a central angle of 02°18'51", subtended by a chord bearing South 70°09'31" West, 50.28 feet, an arc length of 50.29 to the point of beginning, containing 0.108 acres more or less.

See Exhibit "B" attached hereto and made a part of this description.

End of Description

The **Basis of Bearings** for this legal description is the centerline of Kammerer Road as shown on the Record of Survey filed in Book 91 of Surveys, at Page 18, of Official Records of Sacramento County.

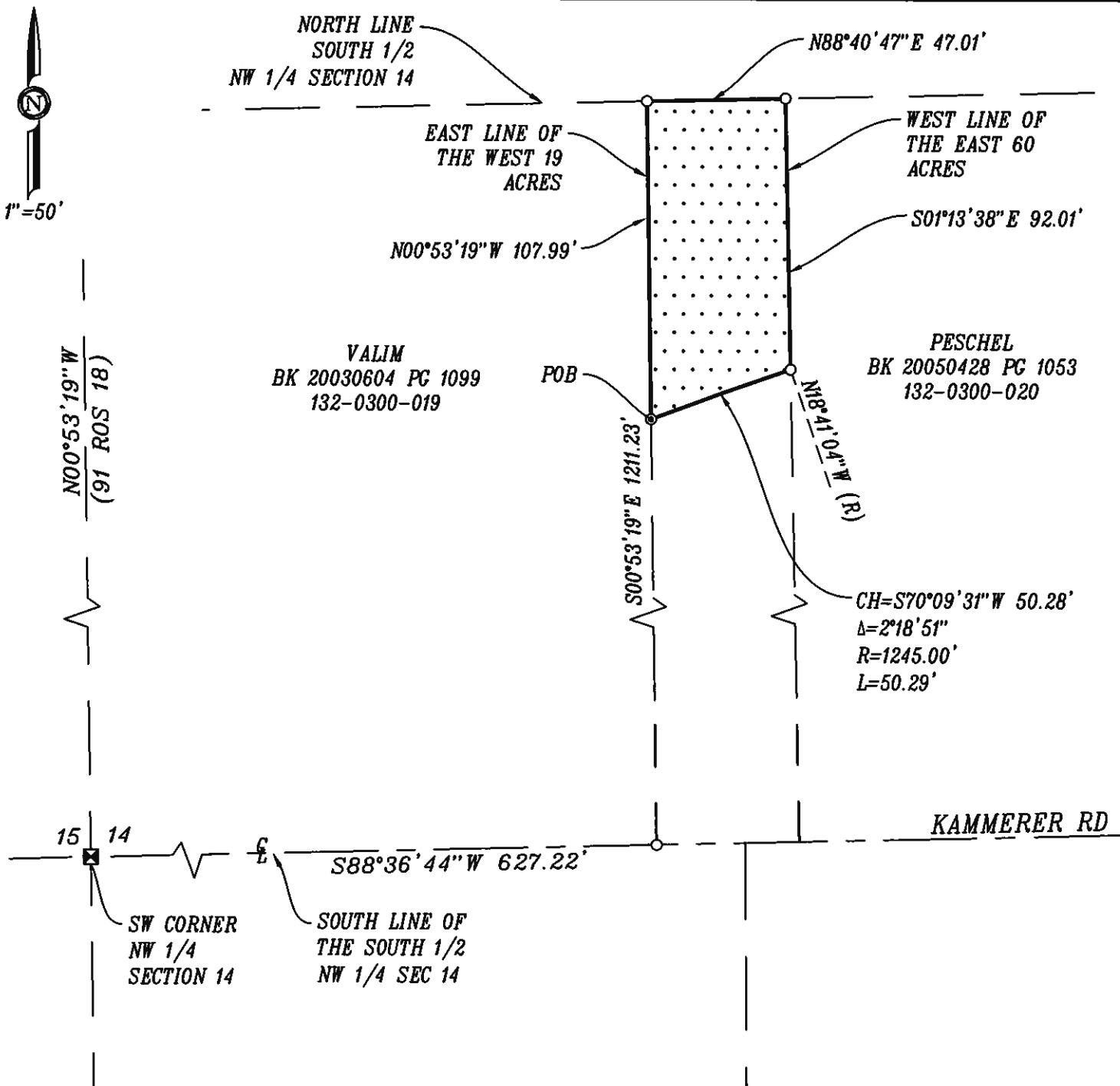
This description has been prepared by me or under my direct supervision in conformance with the Professional Land Surveyors Act.


Ryan L Ming, P.L.S. 8409

1.28.2020
Date



EXHIBIT "D-5"



LEGEND

- SHED "C" FEE SIMPLE ACQUISITION 0.108 AC±
- APN.....ASSESSORS PARCEL NUMBER
- BK.....BOOK
- ℄.....CENTERLINE
- PC.....PAGE
- POB.....POINT OF BEGINNING
- (R).....RADIAL BEARING
- ROS.....RECORD OF SURVEY
- ROW.....RIGHT OF WAY



EXHIBIT B

SHED "C" FEE SIMPLE ACQUISITION
 PORTION OF THE S 1/2 OF THE NW-1/4 SEC 14, T6N, R5E MDM
 CITY OF ELK GROVE COUNTY OF SACRAMENTO STATE OF CALIFORNIA



110 BLUE RAVINE RD SUITE 101 | FOLSOM, CA 95630
 PHONE: 916.900.6623 | unicoengineering.com

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2020-151

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

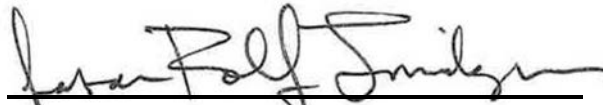
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on June 24, 2020 by the following vote:

AYES: COUNCILMEMBERS: Ly, Detrick, Hume, Suen

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Nguyen



**Jason Lindgren, City Clerk
City of Elk Grove, California**