

**RESOLUTION NO. 2025-176**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT OF EASEMENT  
GRANTING SACRAMENTO MUNICIPAL UTILITIES DISTRICT (SMUD) AN  
EASEMENT FOR ELECTRICAL FACILITIES AND INCIDENTAL APPURTENANCES  
OVER A PORTION OF CITY-OWNED DISTRICT56 PROPERTY [APNs 132-1990-024  
and 132-1990-029] TO PROVIDE ELECTRICAL SERVICE TO THE PROPOSED  
WIRELESS TELECOMMUNICATIONS TOWER ADJACENT TO THE SOLAR ARRAY  
AT DISTRICT 56 (CEQA EXEMPT)**

**WHEREAS**, the City of Elk Grove (City) is the fee owner of the District56 Property, identified as Sacramento County Assessor Parcel Number 132-1990-024 and 132-1990-029 (D56 Property); and

**WHEREAS**, on April 23, 2025, the Elk Grove City Council approved a land lease agreement with EIP Holdings, II, LLC, to construct and operate a wireless telecommunications tower adjacent to the solar array at District56; and

**WHEREAS**, the land lease includes a 10-foot wide non-exclusive access and utility easement within the landscape area; however, the land lease is not recorded, and Sacramento Municipal Utility District (SMUD) requires a recorded easement for installation and maintenance of SMUD facilities and appurtenances; and

**WHEREAS**, on January 16, 2025, the Elk Grove Planning Commission reviewed the proposed wireless communication facility and found the Project exempt from CEQA pursuant to State CEQA Guidelines Section 15303 and approved the Conditional Use Permit for the Verizon Wolfpack Wireless Facility Project No. PLNG24-035 (Project) (Planning Commission Resolution No. 2025-01.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby finds that no further environmental review under the California Environmental Quality Act (CEQA) is necessary for the approval of the grant of easement pursuant to the following finding.

Finding: On January 16, 2025, the Elk Grove Planning Commission found that construction of the Project was exempt, pursuant to CEQA Guidelines Section 15303 of Title 14 of the California Code of Regulations (New Construction or Conversion of Small Structures).

Evidence: The approval of a grant of easement for electrical facilities and incidental appurtenances for the Project will not have a further direct physical change in the environment, nor a reasonably foreseeable indirect physical change in the environment not already considered in the prior exemption determination. Therefore, no further environmental review is required for the approval of the lease, and the Project remains exempt from CEQA;

**AND, BE IT FURTHER RESOLVED**, that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute the Grant of Easement attached hereto as Exhibit A, incorporated by reference, granting SMUD a non-exclusive easement for electrical facilities and incidental appurtenances and to send the executed easement to SMUD.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 24<sup>th</sup> day of September 2025




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

ATTEST:

  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

  
JONATHAN P. HOBBS,  
CITY ATTORNEY

SMUD0069  
RECORD AT REQUEST OF AND RETURN TO:  
Sacramento Municipal Utility District  
Attention: Real Estate Services – B 209  
P. O. Box 15830  
Sacramento, CA 95852-1830

No Fee Document – Per Govt. Code Sec. 6103 & 27383  
No County Transfer Tax Per R & T Code 11922

SMUD BY: \_\_\_\_\_ AEM

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

APN: 132-1990-029-0000, 132-1990-024-0000

R/W: U-2025/175  
SO: 30198778

**GRANT OF NON-EXCLUSIVE EASEMENT**

**City of Elk Grove, a California municipal corporation, Grantor**, hereby grants to **SACRAMENTO MUNICIPAL UTILITY DISTRICT, a municipal utility district, Grantee**, its successors and assigns, the right from time to time to construct, place, inspect, remove, replace, maintain and use electrical and communication facilities consisting of underground conduits, wires and cables, above-ground or below-ground transformers, transformer pads, pedestals, service equipment, terminals, splicing, switching and pull boxes, switch and fuse cubicles, cubicle pads, and all other necessary fixtures and appurtenances (Facilities), within the following described route.

The easement being granted herein is contained and located on a portion of that certain real property, situated in Sacramento County, California, designated by the above referenced Assessor's Parcel Number and more fully described as follows:

*Parcel 1 and Parcel 6 as described in that certain Parcel Map No 13-003A, City of Elk Grove Civic Center Parcel Map, recorded in the office of Recorder of Sacramento County on April 25<sup>th</sup>, 2017 in Book 229 of Official Records at Page 0014.*

Said right includes the trimming and removal by Grantee of any trees or foliage along the Easement Area considered necessary for the complete enjoyment thereof and the right of ingress to and egress from said Easement Area for the purpose of exercising and performing all rights and privileges granted herein. In addition, the Easement Area shall be kept clear of any building or other permanent structure and Grantor will not drill or operate any well within the Easement Area. Grantee shall replace and or repair removed landscaping with suitable shrubbery or ground cover to match existing landscape area such that said replacement shall not interfere with Grantee's rights, and shall repair and or replace irrigation system if damaged.

The route of said easement is described in **EXHIBIT A** and shown on **EXHIBIT B** attached hereto and made a part hereof.

Dated: \_\_\_\_\_, 2025

**Grantor: City of Elk Grove, a California municipal corporation**

Signed: \_\_\_\_\_  
Jason Behrmann, City Manager

Resolution No.: \_\_\_\_\_

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**



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, \_\_\_\_\_,  
*Date Here Insert Name and Title of the Officer*

personally appeared \_\_\_\_\_  
*Name(s) of Signer(s)*

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 \_\_\_\_\_  
*Signature of Notary Public*

*Place Notary Seal Above*

**OPTIONAL**

*Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

Corporate Officer — Title(s): \_\_\_\_\_

Partner —  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

Corporate Officer — Title(s): \_\_\_\_\_

Partner —  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

# Legal Description Exhibit A

## EASEMENT 1

A ten foot wide easement for access and utility purposes, being a portion of Parcel 6, as shown on that certain Parcel Map No. 13-003A, filed in the office of the Recorder of Sacramento County, State of California on April 25th, 2017 in Book 229 of Parcel Maps, Page 14 the centerline of which is more particularly described as follows:

Commencing at the Northeast most corner of said Parcel 6; thence along the Northern boundary thereof South 89°47'37" West, 329.98 feet; thence leaving said Northern boundary South 0°12'23" East, 43.00 feet; thence South 78°29'01" West, 50.99 feet to the True Point of Beginning; thence from said point of beginning North 0°12'23" West, 50.32 feet to a point on the Northwesterly boundary of the aforementioned Parcel 6 which bears South 61°34'04" West, 5.67 feet from the angle point on the Northerly line of said Parcel 6.

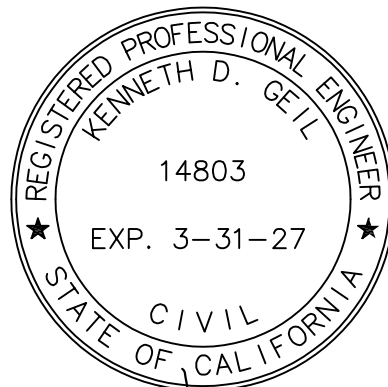
APN 132-1990-029

## EASEMENT 2

A ten foot wide easement for access and utility purposes, being a portion of Parcel 1, as shown on that certain Parcel Map No. 13-003A, filed in the office of the Recorder of Sacramento County, State of California on April 25th, 2017 in Book 229 of Parcel Maps, Page 14 the centerline of which is more particularly described as follows:

Beginning at a point on the Southern boundary of said Parcel 1 which bears South 61°34'04" West, 5.67 feet from the Southeast corner thereof; thence from said point of beginning North 0°12'23" West, 476.97 feet more or less to the public right of way.

APN 132-1990-024



A handwritten signature in black ink, appearing to read "K. D. Geil", written below the professional seal.

EXHIBIT B

CIVIC CENTER DRIVE

- ① S 0°12'23" E 43.00'
- ② S 78°29'01" W 50.99'
- ③ N 0°12'23" W 50.32
- ④ S 61°34'04" W 5.67'

PARCEL 1  
229/PM/14

N 0°12'23" W 476.97'

20080827 O.R. 1127

S.E. COR  
PAR 1

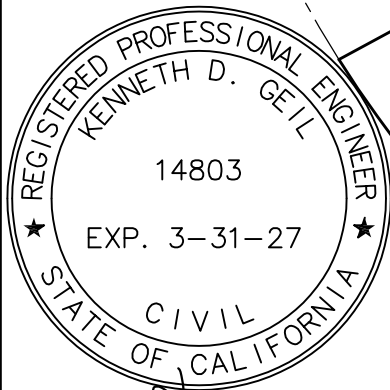
S 89°47'37" W  
329.98'

P.O.B. 2

P.O.C.  
N.E. COR  
PAR 6

P.O.B. 1

PARCEL 6  
229/PM/14



*Handwritten signature*



SCALE 1" = 100'

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2025-176**

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 September 24, 2025 by the following vote:*

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

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

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

**ABSENT:**    **COUNCILMEMBERS:**        *Suen*

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