

RESOLUTION NO. 2026-054

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE ORDERING THE SUMMARY VACATION OF A 20-FOOT PUBLIC UTILITY EASEMENT ON A PORTION OF ASSESSOR'S PARCEL NUMBER 132-0300-054 ASSOCIATED WITH THE BRUCEVILLE MEADOWS TOWNHOMES PROJECT (PLNG21-072) (CEQA EXEMPT)

WHEREAS, the City of Elk Grove (City) Planning Commission adopted its Resolution No. 2022-24 approving a major design review for the Bruceville Meadows Townhomes Project (PLNG 21-072) (Project) on Assessor Parcel Number 132-0300-054 (Property) and making a Determination of Consistency with the General Plan for the vacation of the 20-foot wide Public Utility Easement recorded at Book 20170718 Page 1465 (PUE); and

WHEREAS, the Planning Commission's approval of the Project included Condition No. 40, which requires FPG Tricon Elk Grove Property LLC (Developer) to abandon the PUE to the satisfaction of the City; and

WHEREAS, the Developer has provided information found on the engineering record showing that the only facility within the existing PUE is an abandoned 8-inch sanitary sewer pipe owned by the Sacramento Area Sewer District (SacSewer); and

WHEREAS, the Developer granted a new 24-foot-wide Public Utility Easement to the City along the Bilby Road frontage of the Property, including over that portion of 8-inch sewer pipe necessary to serve the Project; and

WHEREAS, the Developer, in coordination with SacSewer, abandoned the portion of sewer line within the PUE that is unnecessary for the Project; and

WHEREAS, SacSewer took no exception to the request from the City and Developer to vacate the PUE; and

WHEREAS, the existing PUE meets the qualifications for a summary vacation under Streets and Highways Code, Section 8333, as all known in-place public utility facilities in use that would be affected by the vacation have either been abandoned or are located in the existing 24-foot PUE that will remain and there are no in-place public utility facilities located within the PUE that would be affected by the vacation; and

WHEREAS, the California Environmental Quality Act (Section 21000, et. seq. of the California Public Resources Code, hereafter CEQA) requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment" (CEQA Guidelines Section 15378). The Project is defined as a project under CEQA.; and

WHEREAS, staff has determined no further environmental review is required, pursuant to State CEQA Guidelines, Section 15183; and

WHEREAS, pursuant to Section 8335 of the Streets and Highway Code, the City Council may summarily vacate a public service easement by adopting a resolution of vacation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby:

- a. Finds that the foregoing recitals are true and correct.
- b. Finds the Project is exempt from the provisions of CEQA pursuant to CEQA Guidelines, Section 15183 (Public Resources Code Section 21083.3).
- c. Orders the summary vacation of the PUE as described in the Legal Description, attached hereto as Exhibit A, and incorporated herein by reference.
- d. Directs the City Clerk to cause a certified copy of this Resolution, including Exhibit A, attached hereto and attested by the Clerk under seal, to be recorded in the Office of the County Recorder of the County of Sacramento;
- e. Finds that from and after the date this resolution is recorded, the PUE vacated herein shall no longer constitute a public easement.
- f. Finds the summary vacation of the PUE herein is made pursuant to Streets and Highway Code, Sections 8330 through 8336.
- g. Authorizes the City Manager to do all things necessary to execute and cause this summary vacation to be recorded.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 8th day of April 2026



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

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

EXHIBIT 'A'
LEGAL DESCRIPTION FOR
ABANDONMENT OF PUBLIC UTILITY EASEMENT
APN: 132-0300-054-0000

All that certain "Easement for Public Utility" recorded July 18, 2017, as Doc# 201707181465, Official Records of Sacramento County, described as follows:

All that real property situate in the City of Elk Grove, County of Sacramento, State of California, lying within the Northeast One-Quarter of Section 15, Township 6 North, Range 5 East, Mount Diablo Base & Meridian, being a portion of that certain parcel of land as described in that certain Deed recorded in Book 20150116, at Page 0760, Official Records of Sacramento County, being further described as follows:

COMMENCING at a point being the centerline intersection of Bruceville Road with Bilby Road as shown on that certain Parcel Map filed for record in Book 104 of Parcel Maps, at Page 27, Sacramento County Records; thence from said POINT OF COMMENCEMENT, along said centerline of Bilby Road, North $88^{\circ}40'03''$ East, a distance of 390.03 feet; thence leaving said centerline of Bilby Road, South $01^{\circ}19'57''$ East, a distance of 53.68 feet to a point being the northwest corner of said "Easement for Public Utility" said easement being herein after referred to as "PUE", said point being the POINT OF BEGINNING herein; thence from said **POINT OF BEGINNING**, along the northerly line of said PUE, North $86^{\circ}58'11''$ East, a distance of 20.01 feet to the northeast corner of said PUE; thence along the east line of said PUE, South $01^{\circ}19'57''$ East, 62.21 feet to the southeast corner of said PUE; thence along the south line of said PUE, South $88^{\circ}40'03''$ West, a distance of 20.00 feet to the southwest corner of said PUE; thence along the west line of said PUE, North $01^{\circ}19'57''$ West, a distance of 61.61 feet to the POINT OF BEGINNING.

Containing 1,238 square feet, more or less.

The Basis of Bearings for this description is the California State Plane Coordinate System, Zone 2, NAD 83, Epoch Date 1997.30, as measured between NGS Station "Eschinger", 1st order, and NGS Station "Keller", 1st order. Said bearing is North $20^{\circ}56'36''$ West. All distances shown hereon are ground based.

END OF DESCRIPTION

Pursuant to Section 8729(2) of the Professional Land Surveyor's Act, this legal description was prepared by me or under my direct supervision.



Andrew P. Tapley, PLS 9554

03/13/2026

Date



CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2026-054

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 April 8, 2026 by the following vote:

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

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



Jason Lindgren, City Clerk
City of Elk Grove, California