

RESOLUTION 2005-04

**RESOLUTION OF THE BOARD OF DIRECTORS OF
RANCHO MURIETA COMMUNITY SERVICES DISTRICT
APPROVING THE USE OF LEVEES FOR PEDESTRIAN TRAILS SUBJECT TO THE
DISTRICT'S EASEMENT TO MAINTAIN THE LEVEES FOR FLOOD CONTROL PURPOSES.**

WHEREAS, the Rancho Murieta Community Services District (the "District") is the owner of an easement to maintain the levees south of the Cosumnes River in Rancho Murieta, and a copy of the deed for such easement is attached to this Resolution as Exhibit A; and

WHEREAS, the Rancho Murieta Parks Committee proposes to construct a pedestrian bridge across the Cosumnes River and to use a portion the levee, as shown in the Bike Path Concept Plan attached to this Resolution as Exhibit B, for a pedestrian and small vehicle trail to provide access to the bridge; and

WHEREAS, the District has approved amendments to the Rancho Murieta Parks and Recreation Master Plan and to the description of the trail system in the Park Development Agreements between the District, the Rancho Murieta Homeowners Association, and owners of land designated for residential development in Rancho Murieta, to provide for the proposed Rancho Murieta Pedestrian Bridge and for the revision of the Rancho Murieta trail system; and

WHEREAS, the District, as the Lead Agency, has prepared and adopted a Negative Declaration for the Rancho Murieta Pedestrian Bridge project, including the amendments to the Park and Recreation Master Plan and the Park Development Agreements trail system and the use of the levees for trail purposes, pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*, hereinafter "CEQA"), the Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code Regs. Section 15000 *et seq.*, hereinafter the "State CEQA Guidelines") and local procedures adopted by the District pursuant thereto; and

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE RANCHO MURIETA COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS: The Board approves the use of the levees subject to the easement of the District described in Exhibit A for purposes of a community trail, as shown in Exhibit B, insofar as the use does not interfere with the District's maintenance of the levees for flood control purposes.

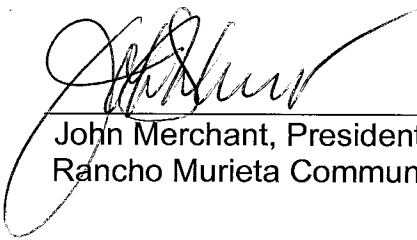
PASSED AND ADOPTED this 4th day of January 2005, by the following Roll Call Vote:

Ayes: *Merchant, Taylor, Kuntz, White*

Noes: *None*

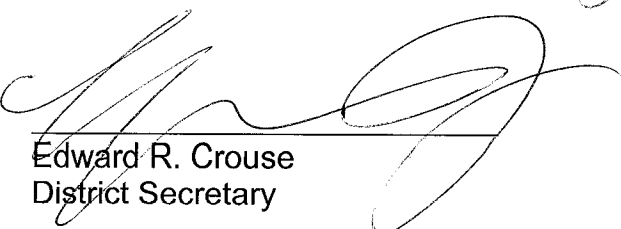
Abstain: *None*

Absent: *Brennan*



John Merchant, President of the Board
Rancho Murieta Community Services District

Attest:



Edward R. Crouse
District Secretary



RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO

McDonough, Holland and Allen
555 Capital Mall, 9th Floor
Sacramento, California 95814
Attn: Richard E. Brandt

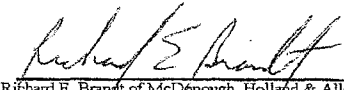
Sacramento County Recording
Mark Norris, Clerk/Recorder
BOOK **20040924** PAGE **1234**

Friday, SEP 24, 2004 11:34:50 AM
PCR \$20.0011
Ttl Pd \$53.00 Nbr-0003085296

JRH/40/1-9

SPACE ABOVE THIS LINE FOR RECORDER'S USE

DOCUMENTARY TRANSFER TAX: None -Exempt. R&T Code § 11922. Grantee is a political subdivision of the State of California.


Richard E. Brandt of McDonough, Holland & Allen
Attorneys for Rancho Murieta Community Services District

Signature of Declarant or Agent Determining Tax

EASEMENT QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Rancho North Properties, LLC, a California limited liability company and PTF for Operating Engineers LLC, a Delaware limited liability company, as their interest appear of record, hereby each QUITCLAIMS to Rancho Murieta Community Services District all of its right, title, and interest in that certain real property in the County of Sacramento, State of California, described as an easement for the purpose of digging, constructing, reconstructing, repairing and forever maintaining thereon a flood control levee, together with all necessary appurtenances appertaining thereto, a perpetual right of way over, under, upon and across the land hereinafter described in Exhibit "A" and depicted on the "Plat to Accompany Description" attached hereto and incorporated herein by reference.

[Signatures on following page]

This instrument is delivered to the Recorder's office as an accommodation, by CHICAGO TITLE COMPANY, for physical convenience only. It has not been examined as to its validity, execution or its effect upon title, if any.

Dated: March 13, 2003

RANCHO NORTH PROPERTIES LLC, a California
limited liability company

By: McMorgan & Company, a Delaware limited liability
company

Its: Manager

By: 

David R. Howard

Its: Senior Vice President

PTF FOR OPERATING ENGINEERS, LLC, a Delaware
limited liability company

By: McMorgan & Company LLC, a Delaware limited
liability company

Its: Manager

By: 

David R. Howard

Its: Senior Vice President

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO

McDonough, Holland and Allen
555 Capital Mall, 9th Floor
Sacramento, California 95814
Attn: Richard E. Brandt

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[Signatures on following page]

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) SS.
COUNTY OF SAN FRANCISCO)

On March 13, 2003, before me, Paula McClanahan, Notary Public, personally appeared David Howard, personally known to me ~~(or 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.

WITNESS my hand and official seal.



NOTARY PUBLIC

(seal)

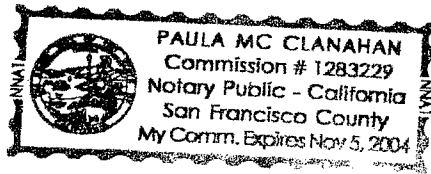


EXHIBIT "A"
TO
EASEMENT QUITCLAIM DEED

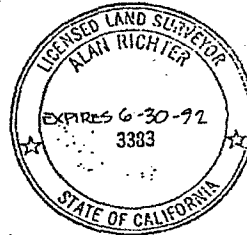
(Legal Description)

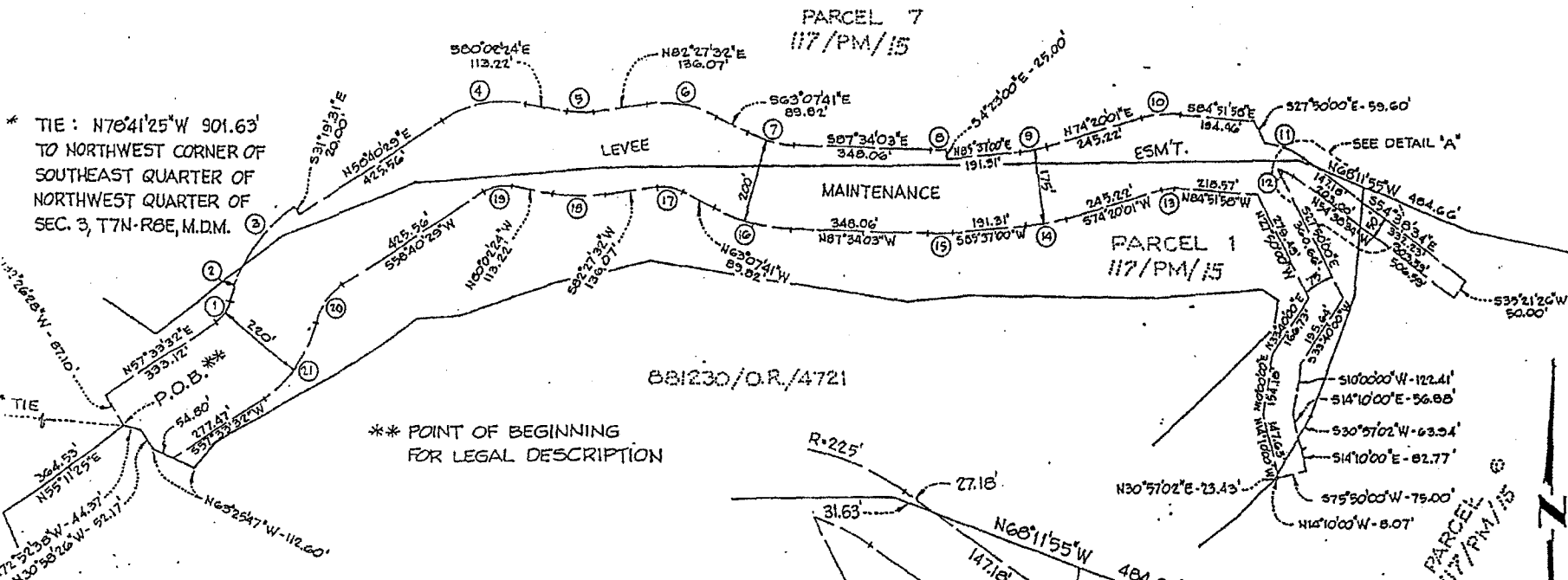
S 39°33'34" E 117.10 FEET; THENCE S 54°38'34" E 27.18 FEET TO THE NORTHERLY
 LINE OF SAID PARCEL 1 AS SHOWN ON SAID PARCEL MAP, SAID POINT BEING DISTANT
 S 68°11'55" E 31.63 FEET FROM THE WESTERLY TERMINUS OF THE COURSE SHOWN
 THEREON AS N 68°11'55" W 484.66 FEET, THENCE CONTINUING S 54°38'34" E
 147.18 FEET TO THE EASTERLY LINE OF SAID PARCEL 1 AS SHOWN ON SAID PARCEL MAP,
 SAID POINT BEING DISTANT S 05°33'07" W 35.93 FEET FROM THE NORTHERLY TERMINUS
 OF THE COURSE SHOWN THEREON AS N 05°33'07" E 268.70 FEET; THENCE CONTINUING
 S 54°38'34" E 332.23 FEET; THENCE S 35°21'26" W 50.00 FEET; THENCE
 N 54°38'34" W; 303.59 FEET TO THE EASTERLY LINE OF SAID PARCEL 1 AS SHOWN ON
 SAID PARCEL MAP, SAID POINT BEING DISTANT N 05°33'07" E 175.14 FEET FROM THE
 SOUTHERLY TERMINUS OF THE COURSE SHOWN THEREON AS N 05°33'07" E 268.70 FEET;
 THENCE CONTINUING N 54°38'34" W 203.00 FEET; THENCE ALONG THE ARC OF A CURVE
 TO THE LEFT HAVING A RADIUS OF 175.00 FEET, THROUGH A CENTRAL ANGLE OF
 18°42'26", SAID ARC BEING SUBTENDED BY A CHORD OF N 45°17'21" W 56.88 FEET;
 THENCE S 27°50'00" E 360.66 FEET; THENCE S 33°40'00" W 195.64 FEET; THENCE
 S 10°00'00" W 122.41 FEET; THENCE S 14°10'00" E 56.88 FEET TO THE EASTERLY
 LINE OF SAID PARCEL 1 AS SHOWN ON SAID PARCEL MAP, SAID POINT BEING DISTANT
 S 30°57'02" W 63.94 FEET FROM THE NORTHERLY TERMINUS OF THE COURSE SHOWN
 THEREON AS N 30°57'02" E 193.22 FEET; THENCE CONTINUING S 14°10'00" E
 82.77 FEET; THENCE S 75°50'00" W 75.00 FEET; THENCE N 14°10'00" W 8.07 FEET TO
 THE EASTERLY LINE OF SAID PARCEL 1 AS SHOWN ON SAID PARCEL MAP, SAID POINT
 BEING DISTANT N 30°57'02" E 23.43 FEET FROM THE SOUTHERLY TERMINUS OF THE
 COURSE SHOWN THEREON AS N 30°57'02" E 193.22 FEET; THENCE CONTINUING
 N 14°10'00" W 147.63 FEET; THENCE N 10°00'00" E 154.18 FEET; THENCE
 N 33°40'00" E 166.73 FEET; THENCE N 27°50'00" W 279.49 FEET; THENCE
 N 84°51'58" W 218.57 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING
 A RADIUS OF 100.00', THROUGH A CENTRAL ANGLE OF 20°48'01", SAID ARC BEING
 SUBTENDED BY A CHORD OF S 84°44'02" W 36.10 FEET; THENCE S 74°20'01" W
 245.22 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF
 500.00 FEET, THROUGH A CENTRAL ANGLE OF 11°16'59", SAID ARC BEING SUBTENDED BY
 A CHORD OF S 79°58'31" W 98.30 FEET; THENCE S 85°37'00" W 191.31 FEET; THENCE
 ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 500.00 FEET, THROUGH
 A CENTRAL ANGLE OF 6°48'57", SAID ARC BEING SUBTENDED BY A CHORD OF
 S 89°01'29" W 59.44 FEET; THENCE N 87°34'03" W 348.06 FEET; THENCE ALONG THE
 ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL
 ANGLE OF 24°26'22", SAID ARC BEING SUBTENDED BY A CHORD OF N 75°20'52" W
 211.66 FEET; THENCE N 63°07'41" W 89.82 FEET; THENCE ALONG THE ARC OF A CURVE
 TO THE LEFT HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF
 34°24'47", SAID ARC BEING SUBTENDED BY A CHORD OF N 80°20'05" W 59.16 FEET;
 THENCE S 82°27'32" W 136.07 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT
 HAVING A RADIUS OF 400.00 FEET, THROUGH A CENTRAL ANGLE OF 17°30'04", SAID ARC
 BEING SUBTENDED BY A CHORD OF N 88°47'26" W 121.71 FEET; THENCE N 80°02'24" W
 113.22 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF
 100.00 FEET, THROUGH A CENTRAL ANGLE OF 41°17'07", SAID ARC BEING SUBTENDED BY
 A CHORD OF S 79°22'03" W 70.51 FEET; THENCE S 58°40'29" W 425.56 FEET; THENCE
 ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 136.00 FEET, THROUGH A
 CENTRAL ANGLE OF 45°50'08", SAID ARC BEING SUBTENDED BY A CHORD OF
 S 35°45'25" W 106.31 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG THE
 ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 300.00 FEET, THROUGH A CENTRAL
 ANGLE OF 44°43'11", SAID ARC BEING SUBTENDED BY A CHORD OF S 35°11'57" W
 228.25 FEET; THENCE S 57°33'32" W 277.47 FEET TO A POINT ON THE SOUTH LINE OF
 SAID PARCEL 1 AS SHOWN ON SAID PARCEL MAP, SAID POINT BEING DISTANT

N 63°25'47" W 57.80 FEET FROM THE EASTERLY TERMINUS OF THE COURSE SHOWN THEREON AS N 63°25'47" W 112.60 FEET; THENCE ALONG SAID SOUTH LINE THE FOLLOWING THREE (3) CONSECUTIVE COURSES: (1) N 63°25'47" W 54.80 FEET; (2) N 30°58'26" W 52.17 FEET; AND (3) N 72°52'38" W 44.37 FEET TO THE POINT OF BEGINNING.

CONTAINING 16.409 ACRES, MORE OR LESS.


ALAN RICHTER L.S. 3383





* TIE: N76°41'25"W 901.63'
TO NORTHWEST CORNER OF
SOUTHWEST QUARTER OF
NORTHWEST QUARTER OF
SEC. 3, T7N-R8E, M.D.M.

NO.	R.	Δ	Ch.
1	80'	44°43'11"	N35°11'57"E 60.87'
2	356'	14°00'38"	N19°50'40"E 86.96'
3	386'	31°49'30"	N42°49'44"E 195.48'
4	300'	41°17'07"	N81°02'05"E 211.52'
5	200'	17°20'04"	S80°47'26"E 60.85'
6	300'	34°24'47"	S60°20'05"E 177.45'
7	300'	24°26'22"	S75°20'52"E 127.00'
8	300'	6°48'57"	N89°01'29"E 35.67'
9	325'	11°16'59"	N79°58'31"E 63.30'
10	275'	20°46'01"	N84°44'02"E 99.29'
11	225'	30°08'58"	S39°33'34"E 117.10'

NO.	R.	Δ	Ch.
12	175'	18°42'26"	N45°17'21"W 56.88'
13	100'	20°46'01"	S84°44'02"W 36.10'
14	500'	11°16'59"	S79°58'31"W 88.30'
15	500'	6°48'57"	S69°01'29"W 59.44'
16	500'	24°26'22"	N75°20'52"W 211.66'
17	100'	34°24'47"	N80°20'05"W 59.16'
18	400'	17°30'04"	N88°47'26"W 121.71'
19	100'	41°17'07"	S79°22'03"W 70.51'
20	136'	45°50'08"	S39°49'25"W 106.31'
21	300'	44°43'11"	S35°11'57"W 228.25'

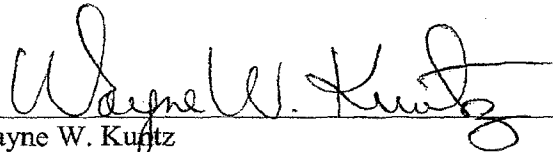
PLAT TO ACCOMPANY DESCRIPTION
 RANCHO MURIETA COMMUNITY SERVICES DISTRICT
 LEVEE MAINTENANCE EASEMENT
 SACRAMENTO COUNTY, CALIFORNIA
 SCALE: 1"=300'
 SEPTEMBER, 1989

RANCHO MURIETA COMMUNITY SERVICES DISTRICT

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the within deed, the provisions of which are incorporated by this reference as though fully set forth in this Certification, to the Rancho Murieta Community Services District is hereby accepted by the undersigned officer pursuant to authority conferred by Resolution #2004-10 of the Board of Directors of Rancho Murieta Community Services District adopted on June 16, 2004, and the grantee consents to recordation thereof by its duly authorized officer.

Dated: 6-30-04



Wayne W. Kutz
Rancho Murieta Community Services District
President of the Board

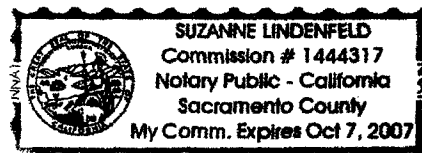
STATE OF CALIFORNIA
County of SACRAMENTO

ACKNOWLEDGMENT

On 6-30-04, before me, Suzanne Lindenfeld, Notary Public, personally appeared WAYNE W. KUTZ, personally known to me (or 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/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature: Suzanne Lindenfeld
Suzanne Lindenfeld



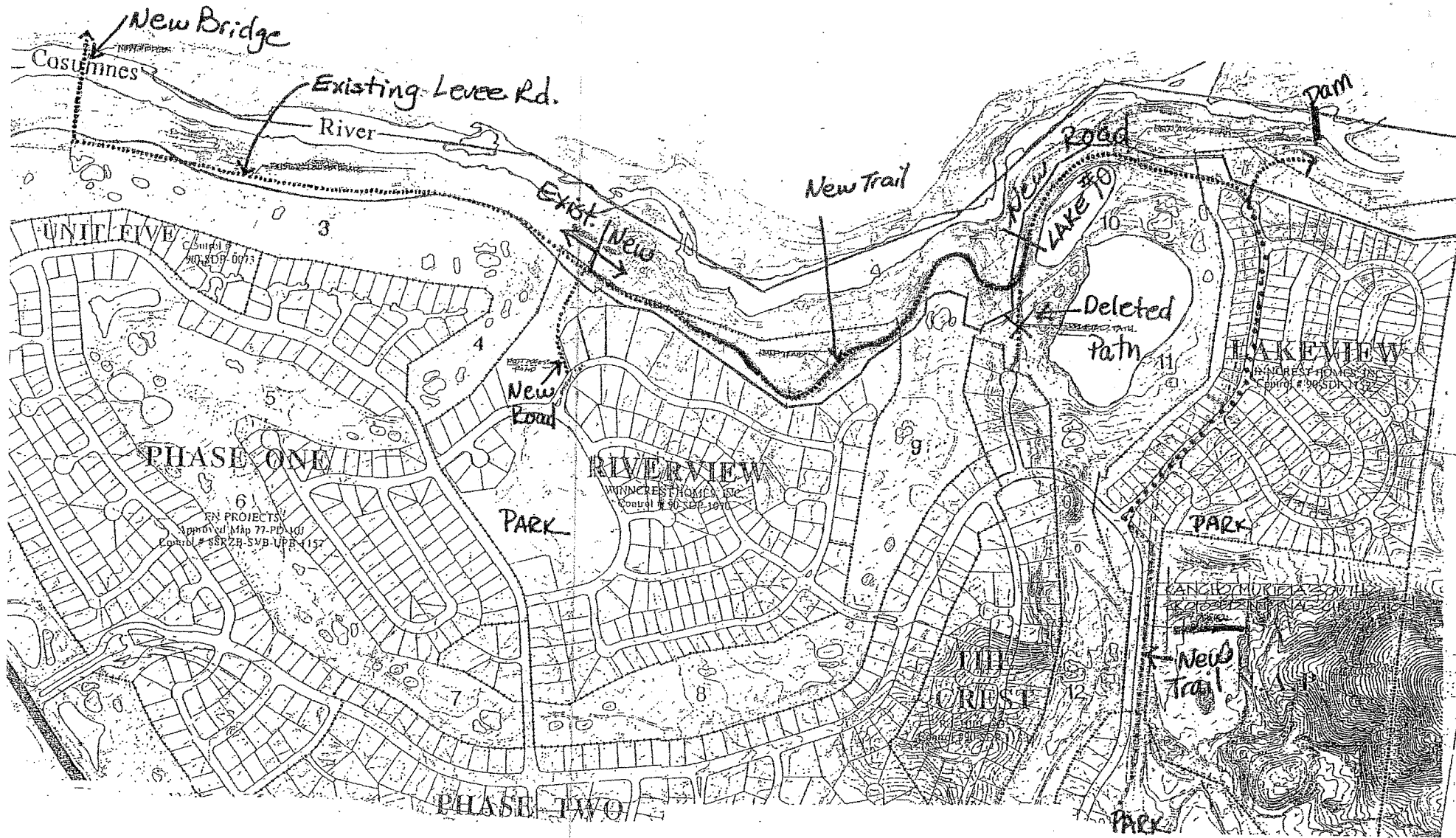


Plate A13
**2002 RMA Pedestrian-
Bike Path Concept Plan**

APPROVED 1-24-03
BY PARKS COMMITTEE