

Staff Report

May 14, 2024

TO: Honorable Mayor and Members of the Town Council
FROM: Merrill Buck, Town Engineer
RE: Acceptance of Public Storm Drain Easements across the Costco Property at 4104 Sierra College Boulevard

Recommendation

Staff recommends that the Town Council adopt a resolution accepting public storm drain easements from the Costco Wholesale Corporation, across their property at 4104 Sierra College Boulevard (APNs 045-042-064, 045-042-037).

Issue Statement and Discussion

On November 8, 2022, the Town Council adopted Resolution #22-53 approving a Modified Conditional Use Permit and Design Review for a Costco warehouse at 4104 Sierra College Boulevard ("Project") with Conditions of Approval (COA).

Project COA 27H was included to address the existence of two storm drain pipes that carried public water collected on streets to the east, which then emptied onto the undeveloped Costco site. (See Attachment B, Location Exhibit). Due to the water being public, some of the storm drains built by Costco needed to convey this water and be contained in public easements so that the Town could accept and maintain the public storm drain system, over time. COA 27H requires that the applicant dedicate all necessary easements for streets, sewers, water facilities, utilities, drainage facilities, and other facilities as required by the Town and outside agencies. The right of way was previously dedicated and accepted by the Town Council on January 10, 2023. The drainage easements are being offered for dedication now.

The Project Developer has prepared storm drainage easement deeds to satisfy COA 27A in a form that is acceptable to the Town Attorney, with plat and legal descriptions that were reviewed by the Town Surveyor for technical accuracy. The storm drainage easement deeds are included as Exhibit 1 and Exhibit 2 to the attached Resolution.

Government Code 27281 requires that deeds conveying an easement to a governmental agency for public purposes be accepted by the local jurisdiction. The Town Council is therefore being asked to accept the attached drainage easement deeds. Town Engineer will then have them recorded at the Placer County Recorder's Office.

CEQA Requirements

The act of accepting storm drain easement dedications is exempt from the provisions of the California Environmental Quality Act pursuant to CEQA Guidelines Section 15061(b)(3), which exempts administrative items.

Financial and/or Policy Implications

No substantial financial impacts or policy implications are expected to result from the acceptance of the storm drainage easements. The Town will incur minor, routine maintenance responsibilities for the drainage systems within these easements, as a result of this action.

Attachment

- A. Resolution
 - Exhibit 1 – Public Storm Drain Easement Deed, APN 045-042-064
 - Exhibit 2 – Public Storm Drain Easement Deed, APN 045-042-037
- B. Location Exhibit

TOWN OF LOOMIS

RESOLUTION NO. 24 - _____

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS
ACCEPTING STORM DRAINAGE EASEMENT DEEDS ACROSS 4104 SIERRA COLLEGE
BOULEVARD (APN: 045-042-064 AND 045-042-037)**

WHEREAS, on November 8, 2022, the Town Council adopted Resolution #22-53 approving a Modified Conditional Use Permit and Design Review for a Costco warehouse at 4104 Sierra College Boulevard (“Project”) with Conditions of Approval: and

WHEREAS, Condition of Approval 27H requires the applicant to dedicate all necessary easements for streets, sewers, water facilities, utilities, drainage facilities, and other facilities as required by the Town and outside agencies.; and

WHEREAS, to satisfy Condition of Approval 27H the Project Developer has prepared and signed storm drainage easement deeds, included and attached as Exhibit 1 and Exhibit 2 to this resolution, in a form acceptable to the Town Attorney; and

WHEREAS, in accordance with Government Code 27281, deeds conveying an easement to a governmental agency for public purposes must be accepted by the local jurisdiction; and

WHEREAS, the Town Surveyor has reviewed the storm drainage easement deeds which includes plat maps and legal descriptions, had determined them to be technically accurate, and it is recommended that the Town Council accept them; and

WHEREAS, the Town Council wishes to accept the storm drainage easement deeds.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town Council of the Town of Loomis hereby accepts the Public Storm Drainage and Access Easement Deeds across 4104 Sierra College Boulevard (APN: 045-042-064 and 045-042-037), as described in Resolution Exhibit 1 and Resolution Exhibit 2, and attached hereto.

PASSED AND ADOPTED this 14th day of May 2024 by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAINED:**

Mayor

ATTEST:

Deputy Town Clerk

**NO FEE DOCUMENT
GOVERNMENT CODE SECTION 27383**

Recording Requested By and
When Recorded Mail To:

Town of Loomis
3665 Taylor Road
PO Box 1330
Loomis, CA 95650
Attn: City Clerk

The Above Space For Recorder's Use Only

Council Resolution Accepting: _____
Date: May ____, 2024

Project Name: Costco Wholesale Warehouse
Address: 4101 Sierra College Blvd.
Loomis, CA 95650
A.P.N.: 045-042-064-000

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 SECTION 27383
OF THE CALIFORNIA GOVERNMENT CODE.

GRANT OF PUBLIC STORM DRAINAGE AND ACCESS EASEMENT DEED

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby
acknowledged, **Costco Wholesale Warehouse** ("Grantor"), as owner(s) of that certain real
property located in the Town of Loomis, County of Placer, State of California, legally described
on Exhibit A and depicted on Exhibit B, attached hereto and made a part hereof ("Property"),
hereby grants a non-exclusive permanent easement for storm drainage purposes together with
associated uses in, on, over, under, and across Property in a Public Storm Drain Easement,
including but not limited to the construction and maintenance of a gravity storm drain line with
manholes, together with the right of ingress and egress upon, over, under and across those
areas of the Property so designated, to the **Town of Loomis**, a municipal corporation
("Grantee"). Grantor reserves the right to use the Property for purposes which will not interfere
with the Grantee's full enjoyment of the rights hereby granted, including the construction or use
of temporary structures within the storm drain easement that do not block or cover manholes.

Executed this _____ day of _____, 2024.

GRANTOR:
Costco Wholesale Warehouse

Signature: _____

Signature: _____

Name: _____

Name: _____

Title: Property Owner

Title: Property Owner

EXHIBIT "A"
LEGAL DESCRIPTION
TOWN OF LOOMIS STORM DRAIN EASEMENT

REAL PROPERTY SITUATE IN THE TOWN OF LOOMIS, COUNTY OF PLACER, STATE OF CALIFORNIA,
DESCRIBED AS FOLLOWS:

BEING A PORTION OF ADJUSTED PARCEL 1 AS DESCRIBED IN THAT CERTAIN LOT LINE ADJUSTMENT
TOWN OF LOOMIS APPLICATION #20-03, RECORDED JANUARY 28, 2021 AS INSTRUMENT NO. 2021-
0011923, PLACER COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL 1 (2021-0011923);

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 1 (2021-0011923), NORTH 01° 18' 01" EAST, 469.03
FEET TO THE **POINT OF BEGINNING**;

THENCE LEAVING SAID EASTERLY LINE, THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 89° 54' 52" WEST, 53.99 FEET, AND
- 2) NORTH 0° 05' 08" EAST, 163.87 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE FOR
BRACE ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, NORTH 88° 55' 07" EAST, 15.00 FEET;

THENCE LEAVING SAID SOUTHERLY RIGHT OF WAY LINE FOR BRACE ROAD, THE FOLLOWING TWO (2)
COURSES:

- 1) SOUTH 0° 05' 08" WEST, 149.17 FEET, AND
- 2) SOUTH 89° 54' 52" EAST, 39.05 FEET TO A POINT ON THE EASTERLY LINE OF SAID PARCEL 1
(2021-0011923);

THENCE ALONG SAID EASTERLY LINE, SOUTH 01° 18' 01" WEST, 15.00 FEET TO THE **POINT OF
BEGINNING**.

CONTAINING 3,046 SQUARE FEET OF LAND, MORE OR LESS.

THE BEARING OF NORTH 88° 55' 07" EAST, TAKEN BETWEEN TWO FOUND MONUMENTS ON THE
MONUMENT LINE OF BRACE ROAD AS SHOWN ON THAT CERTAIN RECORD OF SURVEY NUMBER 1777
FILED FOR RECORD ON MAY 2, 1994 IN BOOK 13 OF SURVEYS AT PAGE 149, OFFICIAL RECORDS OF
PLACER COUNTY WAS TAKEN AS THE BASIS FOR ALL BEARINGS SHOWN HEREIN.



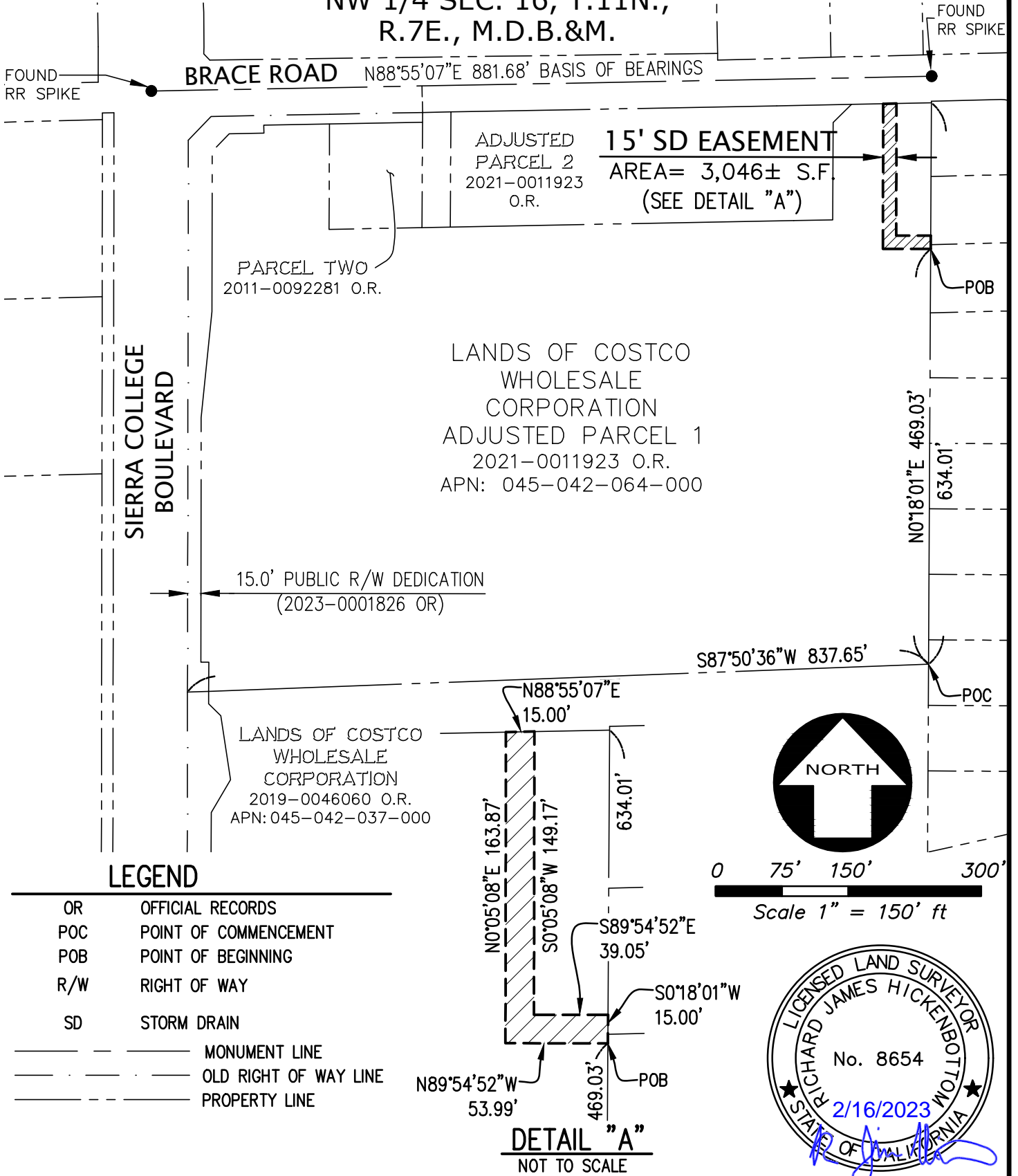
RICHARD JAMES HICKENBOTTOM, P.L.S. 8654

2/16/2023

DATE



BEING A PORTION OF
NW 1/4 SEC. 16, T.11N.,
R.7E., M.D.B.&M.



LEGEND

- OR OFFICIAL RECORDS
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- R/W RIGHT OF WAY
- SD STORM DRAIN
- MONUMENT LINE
- OLD RIGHT OF WAY LINE
- PROPERTY LINE



KIER+WRIGHT

2850 Collier Canyon Road
Livermore, CA 94551

Phone: (925) 245-8788
www.kierwright.com

EXHIBIT "B"

**TOWN OF LOOMIS STORM DRAIN
EASEMENT**

LOOMIS, CALIFORNIA

DATE	JULY, 2023
SCALE	1" = 150'
BY	CJ
JOB NO.	A16658-1
SHEET	1 OF 1

ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
)
COUNTY OF _____)

On _____, 2024 before me, _____, Notary Public, 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 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.

Notary Public

STATE OF CALIFORNIA)
)
COUNTY OF _____)

On _____, 2024 before me, _____, Notary Public, personally appeared _____, who proved to me on the 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 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.

Notary Public

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the public storm drainage and access easement deed executed on _____, 2024 from **Costco Wholesale Warehouse**, to the **Town of Loomis**, a municipal corporation (“Grantee”), is hereby accepted by the undersigned officer or agent on behalf of the Loomis Town Council pursuant to authority conferred by Town Council of the Town of Loomis on May _____, 2024, and the Grantee consents to recordation thereof by its duly authorized officer.

Dated: _____, 2024

By: _____
Carol Parker, Deputy City Clerk

**NO FEE DOCUMENT
GOVERNMENT CODE SECTION 27383**

Recording Requested By and
When Recorded Mail To:

Town of Loomis
3665 Taylor Road
PO Box 1330
Loomis, CA 95650
Attn: City Clerk

The Above Space For Recorder's Use Only

Council Resolution Accepting: _____
Date: May ____, 2024

Project Name: Costco Wholesale Warehouse
Address: 4101 Sierra College Blvd.
Loomis, CA 95650
A.P.N.: 045-042-037-000

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 SECTION 27383
OF THE CALIFORNIA GOVERNMENT CODE.

GRANT OF PUBLIC STORM DRAINAGE AND ACCESS EASEMENT DEED

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby
acknowledged, **Costco Wholesale Warehouse** ("Grantor"), as owner(s) of that certain real
property located in the Town of Loomis, County of Placer, State of California, legally described
on Exhibit A and depicted on Exhibit B, attached hereto and made a part hereof ("Property"),
hereby grants a non-exclusive permanent easement for storm drainage purposes together with
associated uses in, on, over, under, and across Property in a Public Storm Drain Easement,
including but not limited to the construction and maintenance of a gravity storm drain line with
manholes, together with the right of ingress and egress upon, over, under and across those
areas of the Property so designated, to the **Town of Loomis**, a municipal corporation
("Grantee"). Grantor reserves the right to use the Property for purposes which will not interfere
with the Grantee's full enjoyment of the rights hereby granted, including the construction or use
of temporary structures within the storm drain easement that do not block or cover manholes.

Executed this _____ day of _____, 2024.

GRANTOR:
Costco Wholesale Warehouse

Signature: _____

Signature: _____

Name: _____

Name: _____

Title: Property Owner

Title: Property Owner

EXHIBIT "A"
LEGAL DESCRIPTION
TOWN OF LOOMIS STORM DRAIN EASEMENT

REAL PROPERTY SITUATE IN THE TOWN OF LOOMIS, COUNTY OF PLACER, STATE OF CALIFORNIA,
DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE LAND DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED JULY 3, 2019 AS
INSTRUMENT NO. 2019-0046060, PLACER COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED
AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID GRANT DEED (2019-0046060);

THENCE ALONG THE EASTERLY LINE OF SAID GRANT DEED (2019-0046060), SOUTH 01° 18' 01" WEST,
42.07 FEET TO THE **POINT OF BEGINNING**;

THENCE ALONG SAID EASTERLY LINE, SOUTH 01° 18' 01" WEST, 17.09 FEET;

THENCE LEAVING SAID EASTERLY LINE, THE FOLLOWING TWO (2) COURSES:

- 1) SOUTH 61° 39' 34" WEST, 77.75 FEET, AND
- 2) NORTH 89° 54' 52" WEST, 725.21 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE FOR
SIERRA COLLEGE BOULEVARD AS DESCRIBED IN THAT CERTAIN DOCUMENT RECORDED JANUARY
13, 2023 AS INSTRUMENT NO. 2023-0001826, PLACER COUNTY RECORDS;

THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH 8° 40' 14" WEST, 15.18 FEET;

THENCE LEAVING SAID EASTERLY RIGHT OF WAY LINE FOR SIERRA COLLEGE BOULEVARD, THE
FOLLOWING TWO (2) COURSES:

- 1) SOUTH 89° 54' 52" EAST, 723.72 FEET, AND
- 2) NORTH 61° 39' 34" EAST, 82.15 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 12,066 SQUARE FEET OF LAND, MORE OR LESS.

THE BEARING OF NORTH 88° 55' 07" EAST, TAKEN BETWEEN TWO FOUND MONUMENTS ON THE
MONUMENT LINE OF BRACE ROAD AS SHOWN ON THAT CERTAIN RECORD OF SURVEY NUMBER 1777
FILED FOR RECORD ON MAY 2, 1994 IN BOOK 13 OF SURVEYS AT PAGE 149, OFFICIAL RECORDS OF
PLACER COUNTY WAS TAKEN AS THE BASIS FOR ALL BEARINGS SHOWN HEREIN.



RICHARD JAMES HICKENBOTTOM, P.L.S. 8654

2/16/2023

DATE



BRACE ROAD N88°55'07"E 881.68' BASIS OF BEARINGS

FOUND RR SPIKE

FOUND RR SPIKE

ADJUSTED PARCEL 2
2021-0011923
O.R.

PARCEL TWO
2011-0092281 O.R.

LANDS OF COSTCO
WHOLESALE CORPORATION
ADJUSTED PARCEL 1
2021-0011923 O.R.
APN: 045-042-064-000

SIERRA COLLEGE BOULEVARD

PUBLIC R/W DEDICATION
(2023-0001826 OR)

15' SD EASEMENT
AREA = 12,066 ± S.F.

POC

POB

S87°50'36"W 837.65'

S0°18'01"W 42.07'

N61°39'34"E 82.15'

S0°18'01"W
17.09'

S89°54'52"E 723.72'

N89°54'52"W 725.21'

S61°39'34"W
77.75'

N8°40'14"W
15.18'

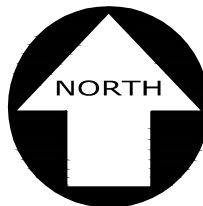
LANDS OF COSTCO
WHOLESALE CORPORATION
2019-0046060 O.R.
APN: 045-042-037-000

TOWN OF LOOMIS
CITY OF ROCKLIN

LEGEND

- OR OFFICIAL RECORDS
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- R/W RIGHT OF WAY
- SD STORM DRAIN

- MONUMENT LINE
- OLD RIGHT OF WAY LINE
- PROPERTY LINE



0 75' 150' 300'

Scale 1" = 150' ft



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Phone: (925) 245-8788
www.kierwright.com

EXHIBIT "B"

TOWN OF LOOMIS STORM DRAIN
EASEMENT

LOOMIS,

CALIFORNIA

DATE	JULY, 2023
SCALE	1" = 150'
BY	CJ
JOB NO.	A16658-1
SHEET	1 OF 1

ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
)
COUNTY OF _____)

On _____, 2024 before me, _____, Notary Public, 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 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.

Notary Public

STATE OF CALIFORNIA)
)
COUNTY OF _____)

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Notary Public

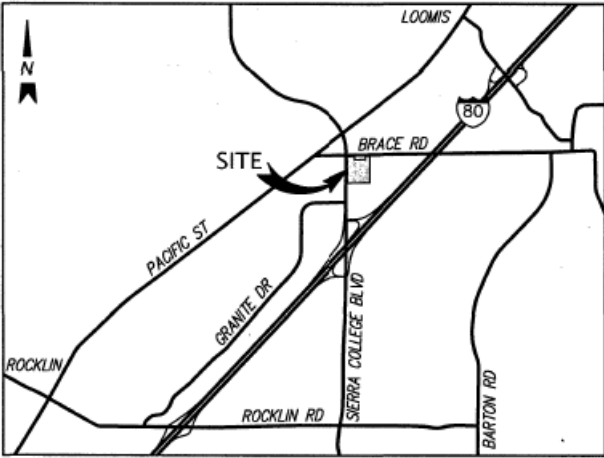
CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the public storm drainage and access easement deed executed on _____, 2024 from **Costco Wholesale Warehouse**, to the **Town of Loomis**, a municipal corporation (“Grantee”), is hereby accepted by the undersigned officer or agent on behalf of the Loomis Town Council pursuant to authority conferred by Town Council of the Town of Loomis on May _____, 2024, and the Grantee consents to recordation thereof by its duly authorized officer.

Dated: _____, 2024

By: _____
Carol Parker, Deputy City Clerk

Location Exhibit



VICINITY MAP

NOT TO SCALE

Site Map

