



Staff Report December 14, 2021

TO: Honorable Mayor and Members of the Town Council
FROM: Merrill Buck, Town Engineer
DATE: December 6, 2021
RE: Acceptance of Roadway Easement Dedication at 5948 King Road

Recommendation

Staff recommends that the Town Council adopt a resolution authorizing the Town Manager to accept an Irrevocable Offer of Dedication for a roadway easement at 5948 King Road (APN 044-072-045).

Issue Statement and Discussion

In June 2019, the owner at 5948 King Road submitted an application for design review to expand and reconfigure two existing office buildings with site improvements that included increased parking, accommodations to achieve ADA compliance, and new landscaping.

As a condition of approval, the owner was required to dedicate a 21-foot-wide right-of-way easement along King Road. On January 26, 2021, the Town Engineer consented to the recordation of an Irrevocable Offer of Dedication for this easement, which reserved the right to accept it at some point in the future. This document was recorded with the County Recorder and can now be acted upon.

Accepting the right-of-way will create an easement for road and utility purposes across the property, allowing for improvements to be constructed, should King Road be widened in the future.

In accordance with Municipal Code Section 2.12.120, the Town Manager may execute agreements on behalf of the Town. As currently written, this authority does not extend to the acceptance of right-of-way or easement dedications, although Government Code Section 27281 does allow for that authority to be delegated. The Town Council is therefore being asked to authorize the Town Manager to accept the Offer of Dedication being conveyed in the grant deed (included as Attachment B), for the roadway easement at 5948 King Road.

CEQA Requirements

The act of accepting a right-of-way dedication is exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15061(b)(3), which exempts administrative items.

Financial and/or Policy Implications

There is no fiscal impact associated with the recommended action. King Road is a public street and acceptance of this additional right-of-way easement will have a negligible effect on funding requirements for future maintenance.

Attachments

- A. Resolution
- B. Offer of Dedication

Item 10 Attachment A

TOWN OF LOOMIS

RESOLUTION NO. 21 - _____

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS
ACCEPTING AN OFFER OF DEDICATION FOR A RIGHT-OF-WAY EASEMENT
(5948 KING ROAD - APN 044-072-045)**

WHEREAS, in June 2019, in conjunction with an application for design review to expand and reconfigure two existing office buildings at 5948 King Road, the owner was required to dedicate a right-of-way easement along King Road as a condition of approval; and

WHEREAS, on January 26, 2021, the Town Engineer consented to the recordation of an Irrevocable Offer of Dedication which reserved the Town’s right to accept the right-of-way easement dedication at some point in the future; and

WHEREAS, the Offer of Dedication was recorded with the County Recorder; and

WHEREAS, the Town Council wishes to accept the Offer of Dedication which will create a 21-foot-wide easement for road and utility purposes across the property.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Loomis does hereby authorize the Town Manager to accept an Offer of Dedication for a roadway easement at 5948 King Road.

PASSED AND ADOPTED by the Town Council of the Town of Loomis this 14th day of December 2021 by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

Mayor

ATTEST:

Deputy Town Clerk

Item 10 Attachment B



PLACER, County Recorder
RYAN RONCO
DOC- 2021-0011911-00

Project Name:

Recording requested by and Return to:

Town of Loomis/Town Engineer
3665 Taylor Road
Loomis, CA 95650
Phone: 916-652-1840
Attention: Thomas Ruark

THURSDAY, JAN 28, 2021 08:43 AM
MIC \$0.00 | AUT \$0.00 | SBS \$0.00
ERD \$0.00 | SB2 \$0.00 | * \$0.00
ADD \$0.00
Ttl Pd \$0.00 Rcpt # 02990734
CLKBZPK9T2/NU/1-7

Exempt from Recording Fees - Govt Code 27383

TOWN OF LOOMIS OFFER OF DEDICATION HIGHWAY EASEMENT

RECEIVED
MAR 01 2021
TOWN OF LOOMIS

the undersigned GRANTOR(S), hereby irrevocably offers for dedication to the Town of Loomis, County of Placer, State of California, an easement for road purposes and incidentals thereto, including the utility rights over, on, under and across all that real property situated in the County of Placer, State of California, bounded and described as follows:

(Any and all interest in the property conveyed by grantor to the Town of Loomis pursuant to this instrument runs with the land and is binding on the heirs, assigns and successors of the grantor.)

(See Attached Exhibits "A" & "B")

Dated this ____ Day of _____, 20____,

GRANTOR(S)

William S Gray *Holly Gray*
Sign name Sign name

William E Gray *Holly Gray*
Print name and title Print name and title

Carrie E Gray *Dillon Gray*
Sign name Sign name

Carrie E Gray *Dillon Gray*
Print name and title Print name and title

Trustee / Beneficiary

Recording Reference Number

RECEIVED

JAN 25 2021

See following page for Acknowledgement

EXHIBIT "A"

A strip of land 21 feet in width situated within the Northeast Quarter of Section 9, Township 11 North, Range 7 East, M.D.M., and affecting the parcel granted to William and Carrie Gray, Dillon Gray and Holly Gray as described in Deed Document No. 2018-0068540, Official Records of Placer County, and within the incorporated Town of Loomis, County of Placer, State of California and being more particularly described as follows:

Beginning at the northeast corner of said Gray parcel from which the North Quarter corner of said Section 9 bears North 89° 55' 00" West, 1820.52 feet and also being a point on the north line of said Section 9; thence from said Point of Beginning and along the easterly line of said Gray parcel, South 28° 24' 00" West, 23.85 feet; thence parallel to the north line of said Gray parcel and being 21.00 feet south of said north line, North 89° 55' 00" West, 142.57 feet to the west line of said Gray parcel; thence along the west line of said Gray parcel, North 15° 44' 00" East, 21.81 feet to the northwest corner of said Gray parcel and a point on the north line of said Section 9; thence along the north line of said Gray parcel and north line of said Section 9, South 89° 55' 00" East, 148.00 feet to the Point of Beginning.

The herein described property contains an area of 3,051 square feet, more or less.

The herein described property is shown on Exhibit "B" attached hereto and made a part hereof.

The Basis of Bearings for this description is that certain Record of Survey Map recorded March 25, 1992 in Book 12 of Record of Surveys at Page 143, Official Records of Placer County.

This description has been prepared by me, or under my direct supervision, in conformance with the Professional Land Surveyors Act, on December 30, 2020.

Kevin J. Nelson

Kevin J. Nelson, P.L.S. 8423
Expires 12-31-2022





EXHIBIT 'B'
SCALE: 1" = 40'

KING ROAD

1,820.52' TO 1/4 CORNER

SECTION LINE

N.W. 1/4
SECTION 9

S89° 55' 00"E

148.00'

42'

21.81'

21'

10' UTIL ESMT

23.85'

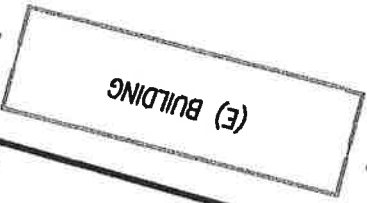
P.O.B.

N89° 55' 00"W

142.57'

235.00'

175.72'



GRAY

APN 044-072-045

DOC# 2018-0068540

APN 044-070-046

N15° 44' 00"E

S28° 24' 00"W

N65° 44' 24"W

APN 044-070-059

92.00'

ACKNOWLEDGEMENT

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 Placer }
}

On 1/21/21 before me,

Denise E Crawford

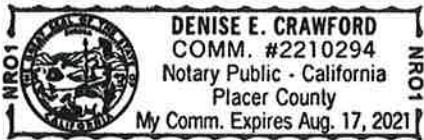
Notary Public,

(name)

personally appeared Dillon Gray
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) (s) 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 the 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.



(Seal)

[Signature]
Signature

CAPACITY CLAIMED BY SIGNER

INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES

CORPORATE OFFICER(S)

TITLE(S)

COMPANY

PARTNER(S)

PARTNERSHIP

ATTORNEY-IN-FACT

PRINCIPAL(S)

TRUSTEE(S)

TRUST

OTHER

TITLE(S)

ENTITY(IES) REPRESENTATIVE

CONSENT TO RECORDATION:

The Town of Loomis hereby consents to the recordation of the Offer of Dedication attached hereto. The County does not accept said offer at this time, but reserves the right to do so in the future.

1/26/2021
DATE

Thomas E. Ruark
SIGN NAME

Thomas E. Ruark, Town Engineer
PRINT NAME AND TITLE

ACCEPTANCE (1): BY AUTHORIZED AGENT:

This is to certify that the interest in real property conveyed by the deed or grant deed dated _____, 20____, from _____

To the Town of Loomis, a government agency, is hereby accepted by the undersigned agent on behalf of the Board of Supervisors of the Town of Loomis and the Grantee consents to the recordation thereof by its duly authorized agent.

DATE

SIGN NAME

PRINT NAME AND TITLE

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County of Placer

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, Notary Public,

(name)

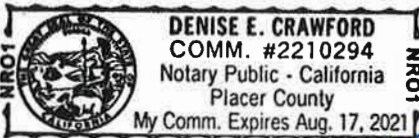
personally appeared

Holly Gray

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.

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WITNESS my hand and official seal.



(Seal)

[Signature]
Signature

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County of Placer

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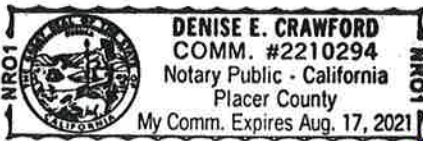
(name)

personally appeared Carrie E Gray

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.

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WITNESS my hand and official seal.



(Seal)

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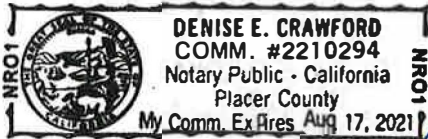
State of California

County of Placer }
On 1/21/21 before me, Denise E Crawford, Notary Public,
(name)

personally appeared William E Gray
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PRINT NAME AND TITLE

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