

RESOLUTION NO. R2023-17

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RANCHO MURIETA COMMUNITY SERVICES DISTRICT DECLARING CERTAIN PROPERTY EXEMPT SURPLUS LAND UNDER THE SURPLUS LAND ACT

WHEREAS, the Surplus Land Act (the "Act"), codified in California Government Code Section 54220 et seq., defines "surplus land" as land owned in fee by any local agency for which the local agency's governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency's use;

WHEREAS, effective January 1, 2020, Assembly Bill 1486 amended the Act to require the Rancho Murieta Community Services District (the "District") to formally declare District-owned properties as "surplus land" or "exempt surplus land" prior to taking actions to dispose of such properties;

WHEREAS, the District's Board of Directors previously authorized the acquisition of Assessor's Parcel No. 073-0190-107, more particularly described in Exhibit A (hereinafter "Property");

WHEREAS, the Property is the site of the facility commonly known as the pedestrian bridge;

WHEREAS, the Property is subject to a number of easements in favor of other parties, including an Easement and Maintenance Agreement, recorded on May 30, 2006 in the Official Records of the Sacramento County Recorder, granting a perpetual easement over the Property and pedestrian bridge in favor of the Rancho Murieta Association ("RMA") for trail purposes;

WHEREAS, the Easement and Maintenance Agreement further states it is made in favor of all current and future residents and owners of property within Rancho Murieta, including, but not limited to, RMA as easement holder and the Rancho Murieta Country Club;

WHEREAS, the Easement and Maintenance Agreement contains no provisions authorizing the District to terminate the agreement;

WHEREAS, portions of the Property are within the high-water marks of the Cosumnes River and subject to the rights of the State and public;

WHEREAS, the rights held by others described in this Resolution, and any other rights recorded against the Property in favor of others, constitute valid, legal restrictions not imposed by the District that would make housing on the Property prohibited;

WHEREAS, District staff has evaluated the issues, benefits, and risks associated with approving the disposal of the Property in accordance with the Act, and now recommends that the Board adopt a resolution declaring the Property exempt surplus land and authorizing the General Manager to carry out related actions necessary to comply with the Act;

WHEREAS, this declaration of Property does not obligate the District to subsequently dispose of the Property and the District may in the future determine that the Property is necessary for District use and not move forward with any disposition of the Property; and,

WHEREAS, the Board of Directors has reviewed this Resolution and now desires to declare the Property as exempt surplus land under the Act, based on the findings and justifications contained in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Rancho Murieta Community Services District as follows:

1. The Board of Directors hereby declares that the Property is exempt from the Act as exempt surplus land pursuant to Government Code section 54221(f)(1)(G), based on the findings contained in this Resolution; namely, that the Property is subject to valid legal restrictions that are not imposed by the District and would make housing on the Property prohibited.

2. The Board of Directors authorizes and directs the General Manager and District legal counsel to take such other actions as necessary or appropriate to comply with the Act.

PASSED AND ADOPTED by the Board of Directors of the Rancho Murieta Community Services District on the 15 day of November, 2023, by the following vote:

AYES: BOOTH, BUTLER, JENCO, MAYBEE, POHLL
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE



Timothy E. Maybee
President of the Board of Directors

Attest:



Amelia Wilder District Secretary

EXHIBIT A

Property Legal Description

The Land situated in the State of California, County of Sacramento, and described as follows: A portion of Parcel 7 as shown on that "Amended Parcel Map-Amending Map filed in Book 117, Parcel Maps, Page 15" filed in Book 123 of Parcel Maps, at Page 26 in the Office of the Recorder of Sacramento County, California described as follows: Beginning at a point from which a 3/4" iron pipe at the centerline intersection of De La Cruz Drive and Granlee Lane as said intersection is shown on the "Plat of Rancho Murieta Unit No. 6" filed in Book 213 of Maps at Page 6, Sacramento County Records bears North 12° 56' 25" East 417.25 feet to a point on the Northerly line of said Parcel 7 and the centerline of Granlee Lane as shown on said "Plat of Rancho Murieta Unit 6", and along said centerline, North 15° 05' 46" West 156.70 feet; Thence from said point of beginning South 12° 12' 16" East 20.00 feet; Thence South 77° 47' 44" West 130.91 feet; Thence South 14° 17' 37" East 340.83 feet; Thence North 75° 42' 23" East 50.00 feet; Thence South 14° 17' 37" East 67.49 feet to a point on the Northerly line of an Easement Quitclaim Deed to Rancho Murieta Community Services District recorded in Book 20040924, Page 1234, Sacramento County Records; Thence along said Northerly line and along the arc of a curve to the left having a radius of 300.00 feet, through a central angle of 19° 26' 56", said arc being subtended by a chord of South 85° 03' 21" West 101.35 feet; Thence continuing along said Northerly line and along the arc of a curve to the left having a radius of 300.00 feet, through a central angle of 16° 39' 24", said arc being subtended by a chord of South 67° 00' 11" West 86.91 feet; Thence continuing along said Northerly line South 58° 40' 29" West 67.03 feet; Thence leaving said Northerly line North 14° 17' 37" West 95.09 feet; Thence North 75° 42' 23" East 75.00 feet; Thence North 14° 17' 37" West 404.15 feet; Thence North 77° 47' 44" East 151.91 feet; Thence South 12° 12' 16" East 30.00 feet; Thence North 77° 47' 44" East 106.63 feet; Thence South 12° 12' 16" East 20.00 feet to the point of beginning.

APN: 073-0190-107