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1/4/11

01/06/2011, 20110000749

RECORDING REQUESTED BY: }

Board of Supervisors }

WHEN RECORDED MAIL TO: }

Board of Supervisors }
330 Fair Lane }
Placerville, CA 95667 }

SPACE ABOVE THIS LINE RESERVED FOR
RECORDER'S USE

TITLE (S)

RESOLUTION NO. 003-2011
RESOLUTION TO ACKNOWLEDGE BUT REJECT DRAINAGE EASEMENT
Irrevocable Offer of Dedication #10-0006
PM#47/73, Parcel D
Assessor's Parcel Number 125-040-23
Benjamin Foulk



RESOLUTION NO. 003-2011

**OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO
RESOLUTION TO ACKNOWLEDGE BUT REJECT DRAINAGE EASEMENT
Irrevocable Offer of Dedication #10-0006
PM#47/73, Parcel D
Assessor's Parcel Number 125-040-23
Benjamin Foulk**

WHEREAS, the authority to invoke the process of dedicating an easement over, under and/or across property by the County is established under Section 7050 of the California Government Code and Section 66475 of the Subdivision Map Act; and

WHEREAS, the authority to accept right of way, road, slope, drainage and public utilities easements by the County, at its discretion, is established under Section 7050 of the California Government Code and Section 66477.1 of the Subdivision Map Act; and

WHEREAS, Benjamin Foulk, has executed an Irrevocable Offer of Dedication to the County of El Dorado for a replacement drainage easement situated along the northerly boundary of Parcel D of the Parcel Map filed in the office of the El Dorado County Recorder in Book 47 of Parcel Maps at Page 73; and

WHEREAS, said parcel is also identified as Assessor's Parcel Number 125-040-23, and is located between El Dorado Hills Boulevard and Park Drive, in El Dorado Hills; and

WHEREAS, said drainage easement is described in Exhibit A and depicted on Exhibit B attached to said offer, and the dedication thereof is to realign a previously dedicated drainage easement to allow for additional commercial development on said parcel; and

WHEREAS, said offer shall remain in effect and run with the land until such time the County of El Dorado Board of Supervisors accepts said offer by Resolution; and

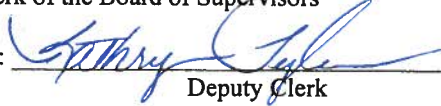
WHEREAS, the County of El Dorado Board of Supervisors has determined that it is in the public's best interest to acknowledge but reject said offer at this time.


NOW, THEREFORE, BE IT RESOLVED that from and after the date this Resolution is recorded, said offer for a realigned drainage easement is hereby acknowledged but rejected at this time, by the County of El Dorado Board of Supervisors.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 4 day of January, 2011 by the following vote of said Board:

Ayes: Sweeney, Santiago, Knight, Nutting, Briggs
Noes: none
Absent: none

Attest:
Suzanne Allen de Sanchez
Clerk of the Board of Supervisors

By: 
Deputy Clerk


Chair, Board of Supervisors
Raymond J. Nutting

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

Attest: Suzanne Allen de Sanchez, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: _____ Date: _____
Deputy Clerk

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
County of El Dorado
Board of Supervisors
330 Fair Lane
Placerville, CA 95667
APN: 125-040-23

Mail Tax Statements to above.
Exempt from Documentary Tax Transfer
Per Revenue and Taxation Code 11922

Above section for Recorder's use

**IRREVOCABLE OFFER OF DEDICATION
DRAINAGE EASEMENT**

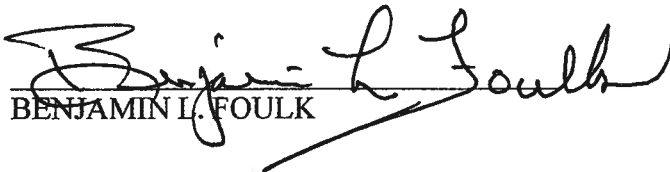
BENJAMIN L. FOULK, hereinafter called GRANTOR, owner of the real property herein described, does hereby irrevocably offer for dedication to the **COUNTY OF EL DORADO**, a political subdivision of the State of California, an easement, for drainage and appurtenant drainage pipes and structures within said easement, over, under, and across that certain real property situate in the unincorporated area of the County of El Dorado, State of California, described as:

See Exhibits A & B, attached hereto and made a part hereof.

It is understood that this offer of dedication shall remain in effect and run with the land until such time as the County of El Dorado Board of Supervisors makes a finding of necessity for public purposes and accepts said offer by resolution.


IN WITNESS WHEREOF, GRANTOR has hereunto subscribed his name this 13th day of October, 2010.

GRANTOR:


BENJAMIN L. FOULK

BENEFICIARY:

The undersigned, **WESTERN SIERRA BANK**, Beneficiary under that certain Deed of Trust dated **May 23, 2002**, Recorded as **Document No. 2002-0039231**, of the Official Records of El Dorado County, hereby consent to the recording of this document.

 10-13-10 ANNE SCHULTZE ECKERT
Signature and Date Printed name and title *SVP*

(A Notary Public must acknowledge all signatures)

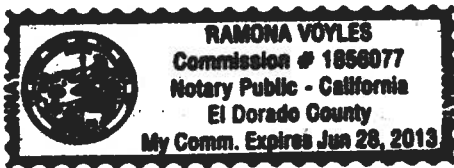
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of EL Dorado

On 10/13/10 before me, Ramona Voyles, NOTARY PUBLIC
Date Here Insert Name and Title of the Officer

personally appeared Anne Schultz Eckert
Name(s) of Signer(s)



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.

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.

Signature Ramona Voyles
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: IRREVOCABLE OFFER OF DEDICATION

Document Date: 10/13/10 Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Individual
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Attorney in Fact
 Trustee
 Guardian or Conservator
 Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

Signer's Name: _____

- Individual
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Attorney in Fact
 Trustee
 Guardian or Conservator
 Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of El Dorado

On 10/13/10

Date

before me, Ramona Voyles, Notary Public

Here Insert Name and Title of the Officer

personally appeared Benjamin L. Foulk

Name(s) of Signer(s)

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.

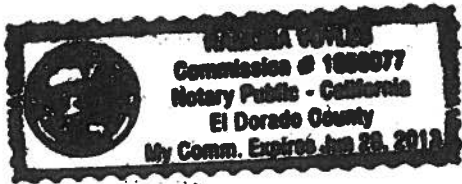
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WITNESS my hand and official seal.

Signature

Ramona Voyles

Signature of Notary Public



Place Notary Seal Above

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Signer's Name: _____

- Individual
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Attorney in Fact
 Trustee
 Guardian or Conservator
 Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

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 Guardian or Conservator
 Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

ILLEGIBLE NOTARY DECLARATION

I certify under penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary Ramona Voyles

Date commission expires June 28, 2013

Notary identification number 1856077
(For Notaries commissioned after 1-1-1992)

Manufacturer/Vendor identification number NNA1
(For Notaries commissioned after 1-1-1992)

Place of execution of this declaration Placerville, CA

Dated 12/20/2010

Signed Cherish Shubert

**EL DORADO COUNTY
DEPT OF TRANSPORTATION**

EXHIBIT 'A'
OFFER OF DEDICATION OF DRAINAGE EASEMENT
WITHIN PARCEL 'D', BOOK 47 AT PAGE 73 OF PARCEL MAPS

That portion of Parcel 'D', as the same is shown and delineated on the Parcel Map entitled "A Portion Of The SE ¼ Of Section 27, T.10 N., R.8 E., M.D.M. . . .", filed for record on July 14, 2000, in Book 47 of Parcel Maps at Page 73, Document No. 2000-0034957, in the office of the El Dorado County, California Recorder; said map hereinafter referenced as Parcel Map 47-73: said portion is more particularly described as follows:

BEGINNING at the Northwest corner of said Parcel 'D' of Parcel Map 47-73, also being the Northwest corner of the herein described easement area; thence, from said Point of Beginning, along the northerly boundary of said Parcel 'D', North 59°35'12" East 116.30 feet, South 30°24'48" East 10.00 feet and North 59°35'12" East 132.90 feet, to the Northeast corner of said Parcel 'D'; thence, along the Easterly boundary of said Parcel 'D', South 34°02'00" East 28.42 feet; thence, leaving said Easterly line, South 65°33'37" West 33.11 feet, South 59°24'01" West 41.17 feet and South 57°14'37" West 183.35 feet, to a point on the westerly boundary line of said Parcel 'D', thence, along said Westerly line, northerly, along a curve to the right, having a radius of 1997.00 feet, beginning at the radial line to said point which bears North 67°23'35" East, said curve having a central angle (delta-D) of 01°14'03", the chord of which bears North 21°59'24" West 43.01 feet, to the Point of Beginning.

Said easement is also shown on Exhibit 'B', attached hereto and made a part hereof.

End of Description





Rev 11/1/10
KWP



EXHIBIT 'B'

OFFER OF DEDICATION OF DRAINAGE EASEMENT WITHIN PARCEL D OF P.M. 47-73 EL DORADO COUNTY, CALIFORNIA NOVEMBER 2010

LEGEND

-  PARCEL LINE
-  EASEMENT LINE
-  EX. DRAINAGE CHANNEL
-  PROPOSED DRAINAGE EASEMENT

PREPARED BY

KEN W. PURCELL, C.E.
P.O. BOX 30
EL DORADO, CA 95623
(530) 622-5470



SUPPLEMENTAL DATA FOR PROPOSED EASEMENT

- 1 S65°33'37"W 33.11'
- 2 S59°24'01"W 41.17'
- 3 R= 1997.00' D= 01°14'03"
CHD= N21°59'24"W 43.01

