



## **RESOLUTION NO. 001-2013**

### **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO**

#### **RESOLUTION OF NECESSITY**

**WHEREAS**, the U.S. 50/Silva Valley Parkway Interchange, County Department of Transportation Project #71328, is located in western El Dorado County;

**WHEREAS**, as part of the U.S. 50/Silva Valley Parkway Interchange, Project #71328 (“Project”), the County is proposing to construct the Silva Valley Parkway Interchange on U.S. Highway 50 between the El Dorado Hills Boulevard/Latrobe Road Interchange and the Bass Lake Road Interchange near the existing Clarksville Road undercrossing (e.g. existing Silva Valley Parkway) within the County. The Project will include a six lane overcrossing (four through lanes and two deceleration lanes to the loop on-ramps), new signalized diagonal off-ramps, diagonal on-ramps, and loop on-ramps. The mainline will be improved to include east and west auxiliary lanes between El Dorado Hills Boulevard and the new Interchange. The Project includes the following improvements:

1. A partial cloverleaf with loop on-ramps in the northeast and southwest quadrants and diagonal on-ramps and off-ramps in each direction of travel on the freeway;
2. Continuous auxiliary lanes between El Dorado Hills Boulevard and the Silva Valley Parkway Interchange connecting the on-ramps with off-ramps;
3. An auxiliary lane at the eastbound diagonal on-ramp and westbound diagonal off-ramp;
4. An overcrossing structure providing four lanes for through traffic on Silva Valley Parkway in addition to deceleration lanes for loop on-ramps and turn pockets at the intersections;
5. The existing Tong Road north of the freeway will be relocated to provide access to the parcels in the northeast quadrant and connect to Silva Valley Parkway;
6. On-ramps will accommodate future ramp metering, HOV lanes and California Highway Patrol enforcement areas; and
7. Safety lighting and signs, signalization of intersections, and Class II bicycle facilities will be constructed and connected to the existing bike path on Silva Valley Parkway.

**WHEREAS**, the Project will be conducted in two phases. Phase 1 will include the majority of the Project improvements with the exception of the eastbound diagonal on-ramp and the westbound loop on-ramp. These ramps will be constructed in Phase 2, which is anticipated to begin construction after 2020. Phase 2 is expected to be operational by year 2030;

**WHEREAS**, the U.S. 50/Silva Valley Parkway Interchange – Phase 1, Project #71328 is necessary to accommodate planned growth as noted in the County’s General Plan and to accommodate commercial and residential development of the areas surrounding the proposed Project. The Project will include installation of safety lighting, on-ramp features to accommodate future ramp metering, and additional lanes at the off-ramp intersections to improve traffic operations;

**WHEREAS**, the requirements of the California Environmental Quality Act have been met. On June 14, 2011, the County's Board of Supervisors certified the Supplemental Environmental Impact Report on the Silva Valley Parkway Interchange Project, consisting of the Draft Supplemental Environmental Impact Report dated January 2011, Revised Draft Supplemental Environmental Impact Report dated May 9, 2011, and the Final Supplemental Environmental Impact Report dated June 2011; found the information in the Supplemental Environmental Impact Report adequate to approve the Project and reflective of the independent judgment and analysis of the Board of Supervisors; adopted the Findings of Fact and Statements of Overriding Consideration Related to the Certification of the Supplemental Environmental Impact Report on the Silva Valley Parkway Interchange Project June 2011; and adopted the Mitigation Monitoring and Reporting Plan;

**WHEREAS**, as a necessary part of the U.S. 50/Silva Valley Parkway Interchange, Project #71328, it has been determined that a portion of Assessor parcel 122-720-09, more particularly described and depicted in Exhibit "A", located within El Dorado County consisting of 381,990 square feet (8.77 ± acres) in fee, and 63,790 square feet (1.46 acres ±) in easement (slope and drainage) plus 31,237 square feet (0.72 acres ±) in fee as an uneconomic remnant (collectively referred to herein as the "Subject Property"), is best suitable and necessary for the Project, will result in a maximum benefit to the Project, at the most reasonable cost, and with the least interference as possible to private property rights, and that there is no other reasonable, permissible location configured for the Project;

**WHEREAS**, it is necessary and desirable for the County to acquire the herein described portion of Assessor parcel 122-720-09, the Subject Property, for the purpose of constructing the Project;

**WHEREAS**, the requirements for appraisal and offer, pursuant to Government Code section 7267.1 and 7267.2 has been mailed to the title holder, EDH 52, and separately to their attorney, and reasonable efforts by the County have been made to conclude negotiations in accordance with the requirements of Government Code section 7267.2;

**WHEREAS**, California Streets and Highways Code sections 114 and 130 authorizes the State of California, Department of Transportation ("Caltrans"), and the County of El Dorado, to enter into a Cooperative Agreement for the acquisition of right-of-way and construction of improvements such as the Project on the State Highway System;

**WHEREAS**, Streets and Highways Code section 116 authorizes Caltrans to delegate to a county any part of the powers and jurisdiction vested by law in the Department inclusive of the power of eminent domain with respect to any portion of the State Highway System within that county, and Caltrans has delegated to County of El Dorado Caltrans' power and authority to hear all Resolutions of Necessity to condemn rights-of-way should negotiations for the real property acquisitions necessary for the project prove unsuccessful;

**WHEREAS**, the County of El Dorado is a political subdivision of the State of California and is vested with the power of eminent domain by virtue of Article 1, Section 19 of the Constitution of the State of California, Government Code section 25350.5 which authorizes the County Board of Supervisors to exercise the powers of eminent domain necessary to carry out any of the powers and functions of the County, and by virtue of California Code of Civil Procedure sections 1240.050, 1240.110, 1240.120, 1240.125, 1240.150, 1240.410, and 1240.610 and Streets and Highways Code section 943 which

authorize the County Board of Supervisors to acquire any property necessary for the use and purposes of county highways;

**WHEREAS**, Code of Civil Procedure section 1240.410 authorizes the County to acquire the portion of the Subject Property described as an uneconomic remnant by eminent domain in accordance with that article;

**WHEREAS**, the Subject Property is being acquired for a compatible use under Code of Civil Procedure section 1240.510 in that the County and the State respective Department of Transportations' use of the Subject Property will not interfere with or impair the continued public use as it now exists or may reasonably be expected to exist in the future; and alternatively for a more necessary public use under Code of Civil Procedure section 1240.610 in that the County and the State respective Department of Transportations' use of the Subject Property is a more necessary public use than the use to which the property is appropriated;

**WHEREAS**, pursuant to the provisions of Code of Civil Procedure section 1245.235, written notice has been duly given to all persons who could be located whose property is to be acquired by eminent domain and whose names and addresses appear on the County of El Dorado's last equalized roll, all of whom have been given a reasonable opportunity to appear and be heard before the Board of Supervisors on the following matters:

- a. Whether the public interest and necessity require the Project;
- b. Whether said Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c. Whether the Subject Property is necessary for the Project; and
- d. Whether the offer required by Government Code section 7267.2 has been made to all owners of record;

**WHEREAS**, written notice was given to all property owners of record of the opportunity to meet with staff and discuss any issues of design of the Project;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of the County of El Dorado hereby finds:

1. The public interest and necessity require the construction of the U.S. 50/Silva Valley Parkway Interchange, Project #71328, to accommodate planned growth as noted in the County's General Plan and to accommodate commercial and residential development of the areas surrounding the Project, and to implement safety lighting, on-ramp features to accommodate future ramp metering, and additional lanes at the off-ramp intersections to improve traffic operations;
2. The construction of the Project is planned in the manner that will be most compatible with the greatest public good and the least private injury;
3. The Subject Property, owned by EDH 52, and located in the County of El Dorado is best suitable for and necessary to the Project, will result in a maximum benefit to the Project, at the most reasonable cost, and with the least interference as possible to private property rights, and that there is no other reasonable, permissible location configured for the required Project;

4. The offer required by Government Code section 7267.2 has been made to each of the persons known to County to claim an interest in the Subject Property as listed in the County's last equalized roll and specifically to EDH 52, the record owner of the Subject Property;
5. The Subject Property is being acquired for a compatible use under Code of Civil Procedure section 1240.510 in that County's and State's use of the Subject Property will not interfere with or impair the continued public use as it now exists or may reasonably be expected to exist in the future, and alternatively, for a more necessary public use under Code of Civil Procedure section 1240.610 in that County's and State's use of the Subject Property is a more necessary public use than the use to which the Subject Property is appropriated;
6. The remnant portion of the Subject Property is being acquired pursuant to Code of Civil Procedure section 1240.410 authorizing the County to acquire the portion of the Subject Property described as an uneconomic remnant by eminent domain in accordance with that article;
7. Notice and a reasonable opportunity to appear and be heard on January 4, 2013, on the matters enumerated in Code of Civil Procedure section 1240.030 has been given to each of the persons whose name and address appears on the County's last equalized roll and specifically to EDH 52; and

**BE IT FURTHER RESOLVED** that outside counsel, Meyers Nave, Riback, Silver & Wilson, is hereby authorized, with assistance of County Counsel, to proceed immediately with the commencement of an action for eminent domain pursuant to the Eminent Domain Law set forth in the Code of Civil Procedure, commencing with Section 1230.010 et seq., for the Subject Property described in the Exhibit "A" attached herein.

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, 2013 by the following vote of said Board:

Attest:  
 Jim Mitrison  
 Clerk of the Board of Supervisors

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

By:   
 Deputy Clerk

  
 Chairman, Board of Supervisors

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

Attest: Jim Mitrison, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Deputy Clerk

**EXHIBIT "A"**

**APN 122-720-09**

**LEGAL DESCRIPTION**

All that property situate in the County of El Dorado, State of California, being a portion of the Parcel described in the GRANT DEED from John K. Tsakopoulos to EDH 52, a California General Partnership, recorded March 29, 1990 in Book 3322 of Deeds, Page 79, El Dorado County Records, as shown on the Map titled "RECORD OF SURVEY", filed October 20, 2010 in Book 32 of Record of Surveys, at Page 88, El Dorado County Records, being more particularly described as follows:

**FEE**

**Beginning** on the easterly line of last said GRANT DEED at the northerly line of Tong Road, as shown on last said Map; thence along the last said northerly line, North  $81^{\circ}23'12''$  West 138.69 feet to a 6 inch by 6 inch concrete monument, as shown on last said Map; thence continuing along last said northerly line, South  $78^{\circ}36'10''$  West 530.64 feet; thence leaving last said northerly line, North  $42^{\circ}03'35''$  East 140.33 feet to the beginning of a curve concave southeasterly, having a radius of 200.00 feet and chord bearing North  $53^{\circ}12'47''$  East 77.38 feet; thence northeasterly through a central angle of  $22^{\circ}18'25''$ , 77.87 feet along said curve; thence North  $64^{\circ}22'00''$  East 200.60 feet to the beginning of a non-tangent curve concave southwesterly, having a radius of 1120.00 feet and chord bearing North  $22^{\circ}37'45''$  West 175.03 feet; thence northerly through a central angle of  $08^{\circ}57'48''$ , 175.21 feet along said curve; thence North  $62^{\circ}53'21''$  East 150.00 feet to the beginning of a non-tangent curve concave southwesterly, having a radius of 1270.00 feet and chord bearing South  $22^{\circ}50'08''$  East 189.34 feet; thence southerly through a central angle of  $08^{\circ}33'01''$ , 189.52 feet along said curve; thence South  $66^{\circ}23'35''$  East 76.64 feet; thence North  $74^{\circ}22'00''$  East 56.52 feet to the beginning of a curve concave to the southeast, having a radius of 525.00 feet and a chord bearing North  $74^{\circ}24'39''$  East 3.82 feet; thence northeasterly through a central angle of

00°24'59", 3.82 feet along said curve to last said easterly line; thence along last said easterly line, South 15°07'19" East 201.15 feet to the **Point of Beginning**.

Together with all that portion of last said GRANT DEED, lying southerly of Tong Road, as shown on last said Map.

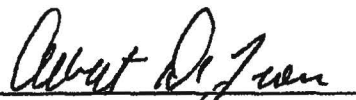
Containing 200,466 square feet or 4.60 acres, more or less.

See Exhibit "B", attached hereto and made a part hereof.

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights of access, appurtenant to grantor's remaining property, in and to said freeway.

Bearings used in the above description(s) are based upon CCS83 Zone 2, Epoch 1991.35. Grid distances shown are in US Survey feet, divide the distances shown above by 0.99991 to obtain ground level distances.

This real property description has been prepared at Mark Thomas & Company, Inc., by me, or under my direction, in conformance with the Professional Land Surveyors Act.

  
Albert DeLeon, LS 7716  
License expires 3-31-13

August 11, 2011  
Date



**LEGEND**

- PROPOSED & EXISTING
- ACCESS-CONTROL
- RIGHT-OF-WAY
- DIMENSION POINT TYPICAL

**EXHIBIT "B"**

**LINE TABLE**

- ① S66°23'35"E 76.64'
- ② N74°22'00"E 56.52'

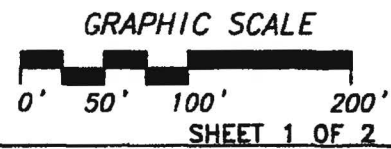
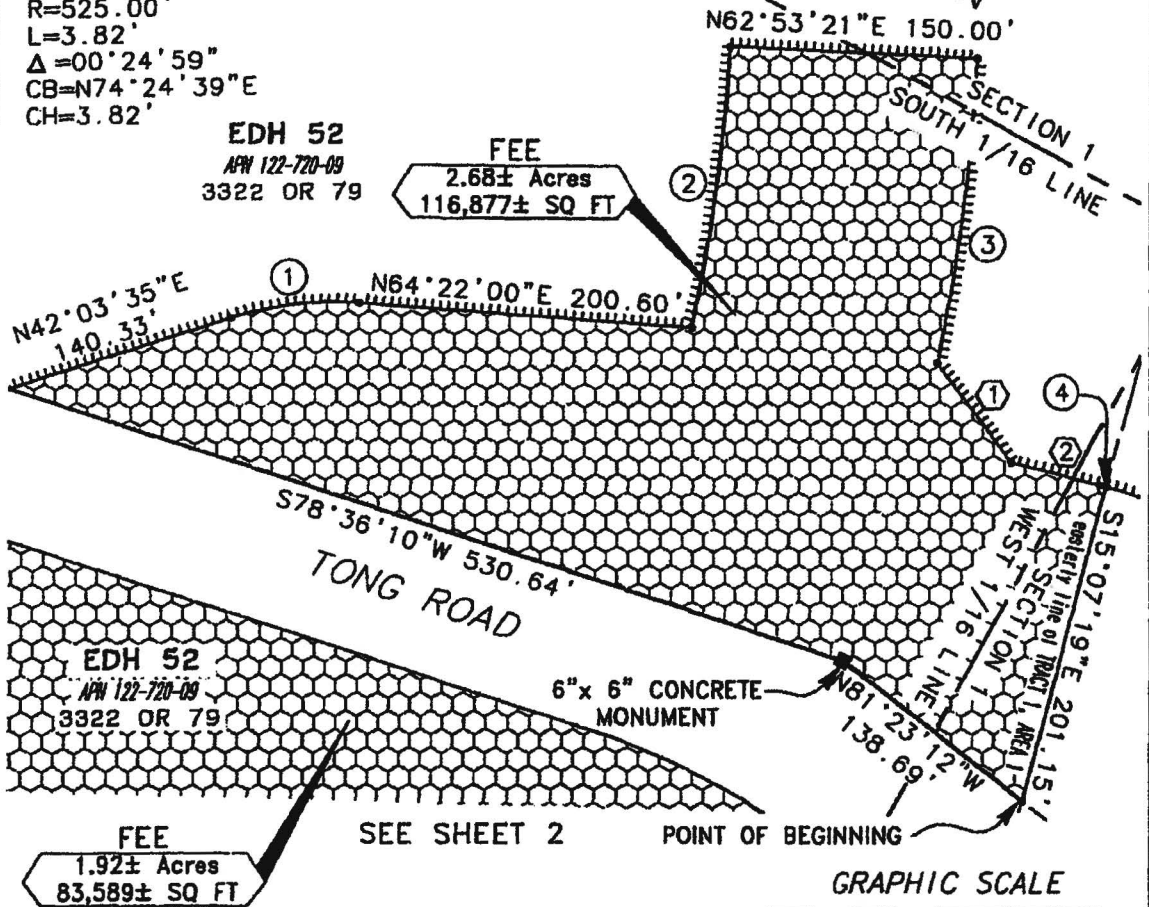



*Albert De Leon*  
August 4, 2010

①	②	③
R=200.00'	R=1120.00'	R=1270.00'
L=77.87'	L=175.21'	L=189.52'
Δ=22°18'25"	Δ=08°57'48"	Δ=08°33'01"
CB=N53°12'47"E	CB=N22°37'45"W	CB=S22°50'08"E
CH=77.38'	CH=175.03'	CH=189.34'
④		
R=525.00'		
L=3.82'		
Δ=00°24'59"		
CB=N74°24'39"E		
CH=3.82'		

**EDH 52**  
APN 122-720-09  
3322 OR 79

**FEE**  
2.68± Acres  
116,877± SQ FT





DWG. BY RPM      SCALE  
CK. BY MJS      1"=100'

**EXHIBIT "B"**  
**APN 122-720-09**  
**IN THE COUNTY OF EL DORADO**  
**STATE OF CALIFORNIA**

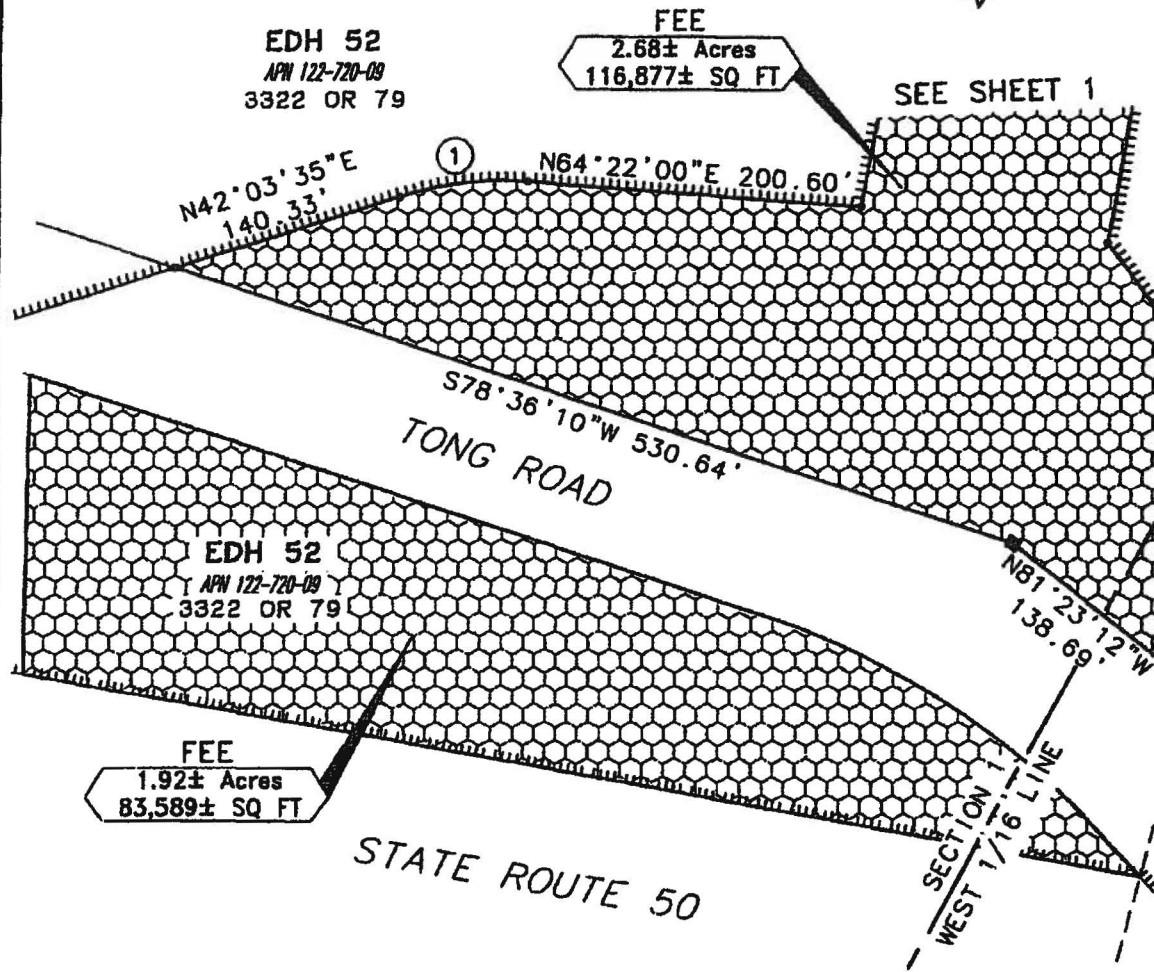
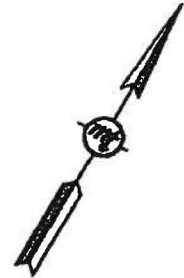
Mark Thomas & Co., Inc.  
7300 Folsom Blvd, Ste. 203  
Sacramento, CA 95826  
(916) 381-9100

EXHIBIT "B"

**LEGEND**

- PROPOSED & EXISTING
- ||| ACCESS-CONTROL RIGHT-OF-WAY
- DIMENSION POINT TYPICAL

①  
 R=200.00'  
 L=77.87'  
 $\Delta = 22^{\circ}18'25''$   
 CB=N53°12'47"E  
 CH=77.38'



GRAPHIC SCALE



SHEET 2 OF 2



DWG. BY RPM  
 CK. BY MJS

SCALE  
 1"=100'

EXHIBIT "B"  
 APN 122-720-09  
 IN THE COUNTY OF EL DORADO  
 STATE OF CALIFORNIA

Mark Thomas & Co., Inc.  
 7300 Folsom Blvd, Ste. 203  
 Sacramento, CA 95826  
 (916) 381-9100



**EXHIBIT "A"**

**APN 122-720-09**

**LEGAL DESCRIPTION**

All that property situate in the County of El Dorado, State of California, being a portion of the Parcel described in the GRANT DEED from John K. Tsakopoulos to EDH 52, a California General Partnership, recorded March 29, 1990 in Book 3322 of Deeds, Page 79, El Dorado County Records, as shown on the Map titled "RECORD OF SURVEY", filed October 20, 2010 in Book 32 of Record of Surveys, at Page 88, El Dorado County Records, being more particularly described as follows:

**FEE**

**Commencing** on the easterly line of last said GRANT DEED at the northerly line of Tong Road, as shown on last said Map; thence along the last said northerly line, North 81°23'12" West 138.69 feet to a 6 inch by 6 inch concrete monument, as shown on last said Map; thence continuing along last said northerly line, South 78°36'10" West 530.64 feet; thence leaving last said northerly line, North 42°03'35" East 140.33 feet to the beginning of a curve concave southeasterly, having a radius of 200.00 feet and chord bearing North 53°12'47" East 77.38 feet; thence northeasterly through a central angle of 22°18'25", 77.87 feet along said curve; thence North 64°22'00" East 200.60 feet to the beginning of a non-tangent curve concave southwesterly, having a radius of 1120.00 feet and chord bearing North 22°37'45" West 175.03 feet; thence northerly through a central angle of 08°57'48", 175.21 feet along said curve; thence North 62°53'21" East 15.00 feet to the beginning of a non-tangent curve concave southwesterly, having a radius of 1135.00 feet and chord bearing North 37°51'14" West 423.14 feet and the **Point of Beginning**; thence northwesterly through a central angle of 21°29'09", 425.62 feet along said curve; thence North 41°24'12" East 5.00 feet to the beginning of a non-tangent curve concave southwesterly, having a radius of 1140.00 feet and chord bearing North 57°36'34" West 357.17 feet; thence northwesterly through a central angle of 18°01'32", 358.65 feet along said curve; thence North 66°37'20" West 314.90 feet

to the beginning of a curve concave northeasterly, having a radius of 1159.90 feet and chord bearing North 62°55'54" West 149.32 feet; thence northwesterly through a central angle of 07°22'52", 149.42 feet along said curve to the beginning of a reverse curve concave southeasterly, having a radius of 25.00 feet and chord bearing South 63°55'03" West 41.86 feet; thence westerly through a central angle of 113°40'59", 49.60 feet along said curve to the beginning of a curve concave easterly, having a radius of 170.00 feet and chord bearing South 03°16'17" East 61.07 feet; thence southerly through a central angle of 20°41'41", 61.40 feet along said curve to the westerly line of last said GRANT DEED; thence along last said westerly line the following two (2) courses;

- 1) North 13°37'08" West 68.94 feet and
- 2) North 01°56'13" West 197.68 feet to the beginning of a non-tangent curve concave northeasterly, having a radius of 1039.90 feet and chord bearing South 58°57'35" East 277.31 feet.

thence southeasterly through a central angle of 15°19'30", 278.14 feet along said curve; thence South 66°37'20" East 314.90 feet to the beginning of a curve concave southwestly, having a radius of 1260.00 feet and chord bearing South 57°36'34" East 394.77 feet; thence southeasterly through a central angle of 18°01'32", 396.40 feet along said curve; thence North 41°24'12" East 5.00 feet to the beginning of a non-tangent curve concave southwestly, having a radius of 1265.00 feet and chord bearing South 40°03'38" East 375.54 feet; thence southeasterly through a central angle of 17°04'21", 376.93 feet along said curve; thence South 67°25'10" East 35.48 feet to the beginning of a non-tangent curve concave southwestly, having a radius of 200.00 feet and a chord bearing South 87°52'11" East 145.00 feet; thence southeasterly through a central angle of 42°30'27", 148.38 feet along said curve; thence South 66°36'57" East 53.98 feet to the easterly line of last said GRANT DEED; thence along last said easterly line, the following three (3) courses:

- 1) South 01°34'34" East 68.35 feet to a 5/8" rebar with aluminum cap stamped "LS 5914", as shown on last said Record of Survey,
- 2) South 88°52'05" West 19.03 feet to a 5/8" rebar with aluminum cap stamped "LS 5914", as shown on last said Record of Survey, and

3) South 15°07'19" East 168.30 feet to the beginning of a non-tangent curve concave to the southeast, having a radius of 525.00 feet and a chord bearing South 74°24'39" West 3.82 feet;


thence southwesterly through a central angle of 00°24'59", 3.82 feet along said curve; thence South 74°22'00" West 56.52 feet; thence North 66°23'35" West 76.64 feet to the beginning of a non-tangent curve concave southwesterly, having a radius of 1270.00 feet and chord bearing North 22°50'08" West 189.34 feet; thence northerly through a central angle of 08°33'01", 189.52 feet along said curve; thence South 62°53'21" West 135.00 feet to the **Point of Beginning.**

Containing 212,761 square feet or 4.88 acres, more or less.

See Exhibit "B", attached hereto and made a part hereof.

Bearings used in the above description(s) are based upon CCS83 Zone 2, Epoch 1991.35. Grid distances shown are in US Survey feet, divide the distances shown above by 0.99991 to obtain ground level distances.

This real property description has been prepared at Mark Thomas & Company, Inc., by me, or under my direction, in conformance with the Professional Land Surveyors Act.

  
Albert DeLeon, LS 7716  
License expires 3-31-13

August 22, 2011  
Date



**LEGEND**

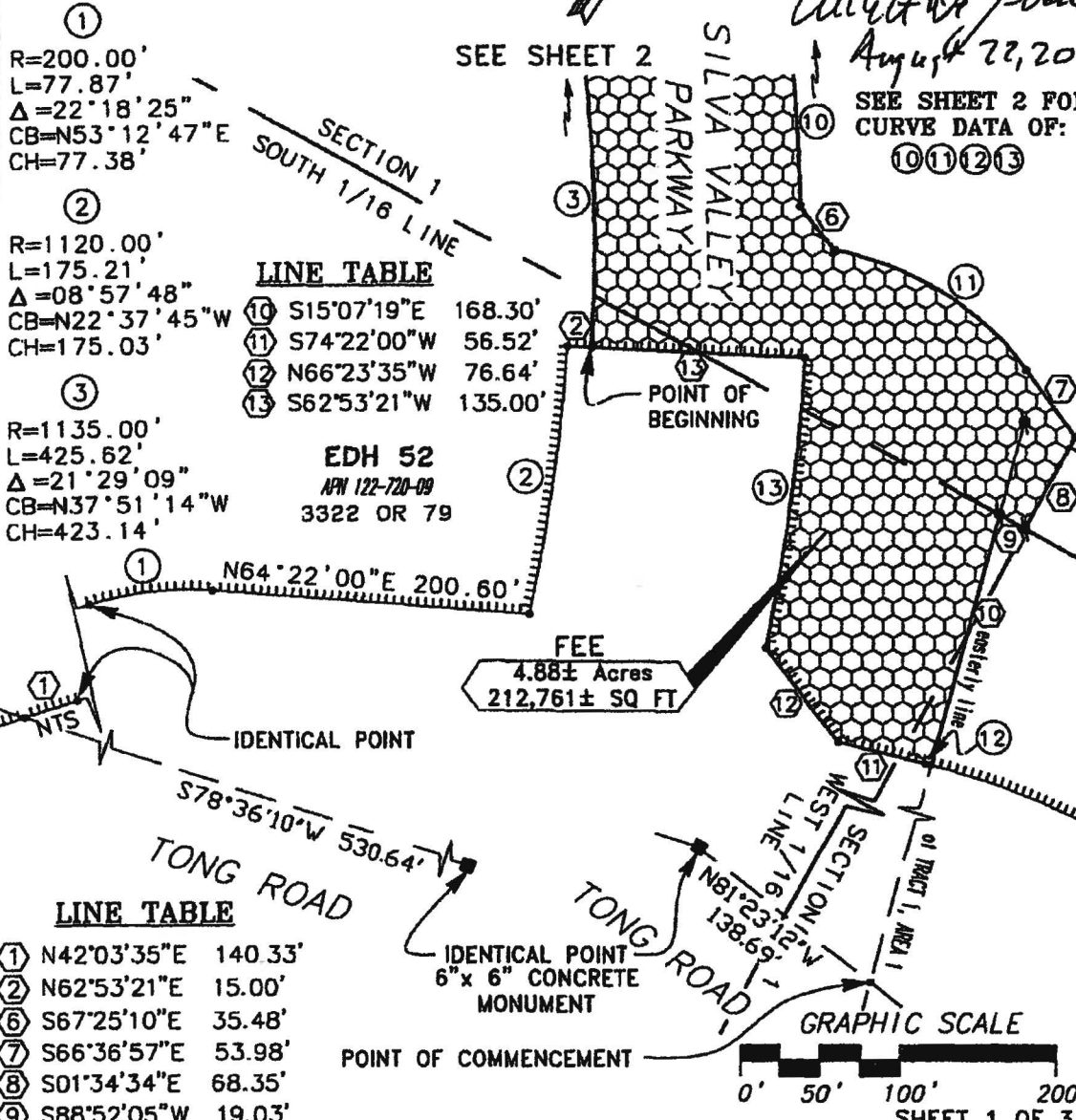
- PROPOSED & EXISTING
- /// ACCESS-CONTROL RIGHT-OF-WAY
- ⚡ 5/8" REBAR, AS SHOWN ON 32 RS 88
- DIMENSION POINT TYPICAL
- NTS NOT TO SCALE

**EXHIBIT "B"**



*Albert de Leon*  
August 22, 2011

SEE SHEET 2 FOR CURVE DATA OF:  
⑩⑪⑫⑬



①  
R=200.00'  
L=77.87'  
Δ=22°18'25"  
CB=N53°12'47"E  
CH=77.38'

②  
R=1120.00'  
L=175.21'  
Δ=08°57'48"  
CB=N22°37'45"W  
CH=175.03'

③  
R=1135.00'  
L=425.62'  
Δ=21°29'09"  
CB=N37°51'14"W  
CH=423.14'

**LINE TABLE**

⑩	S15°07'19"E	168.30'
⑪	S74°22'00"W	56.52'
⑫	N66°23'35"W	76.64'
⑬	S62°53'21"W	135.00'

**EDH 52**  
APN 122-720-09  
3322 OR 79

**FEE**  
4.88± Acres  
212,761± SQ FT

N64°22'00"E 200.60'

IDENTICAL POINT

S78°36'10"W 530.64'

**LINE TABLE**

①	N42°03'35"E	140.33'
②	N62°53'21"E	15.00'
⑥	S67°25'10"E	35.48'
⑦	S66°36'57"E	53.98'
⑧	S01°34'34"E	68.35'
⑨	S88°52'05"W	19.03'

IDENTICAL POINT  
6" x 6" CONCRETE MONUMENT

POINT OF COMMENCEMENT

DWG. BY RPM	SCALE
CK. BY MJS	1"=100'

**EXHIBIT "B"**  
APN 122-720-09  
IN THE COUNTY OF EL DORADO  
STATE OF CALIFORNIA

Mark Thomas & Co., Inc.  
7300 Folsom Blvd, Ste. 203  
Sacramento, CA 95826  
(916) 381-9100

EXHIBIT "B"

LINE TABLE

- ③ N41°24'12"E 5.00'
- ⑤ N41°24'12"E 5.00'
- ⑥ S67°25'10"E 35.48'

- ⑨ R=1260.00'  
L=396.40'  
Δ=18°01'32"  
CB=S57°36'34"E  
CH=394.77'

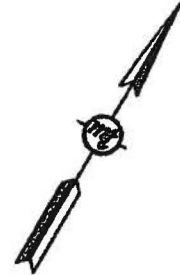
- ⑩ R=1265.00'  
L=376.93'  
Δ=17°04'21"  
CB=S40°03'38"E  
CH=375.54'

- ⑪ R=200.00'  
L=148.38'  
Δ=42°30'27"  
CB=S87°52'11"E  
CH=145.00'

- ⑫ R=525.00'  
L=3.82'  
Δ=00°24'59"  
CB=S74°24'39"W  
CH=3.82'

- ⑬ R=1270.00'  
L=189.52'  
Δ=08°33'01"  
CB=N22°50'08"W  
CH=189.34'

SEE SHEET 3



FEE  
4.88± Acres  
212,761± SQ FT

- ③ R=1135.00'  
L=425.62'  
Δ=21°29'09"  
CB=N37°51'14"W  
CH=423.14'

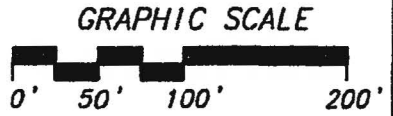
- ④ R=1140.00'  
L=358.65'  
Δ=18°01'32"  
CB=N57°36'34"W  
CH=357.17'

EDH 52  
APN 122-720-09  
3322 OR 79

EDH 52  
APN 122-720-09  
3322 OR 79

SECTION 1  
SOUTH 1/16 LINE

SILVA VALLEY  
PARKWAY



SEE SHEET 1

SHEET 2 OF 3

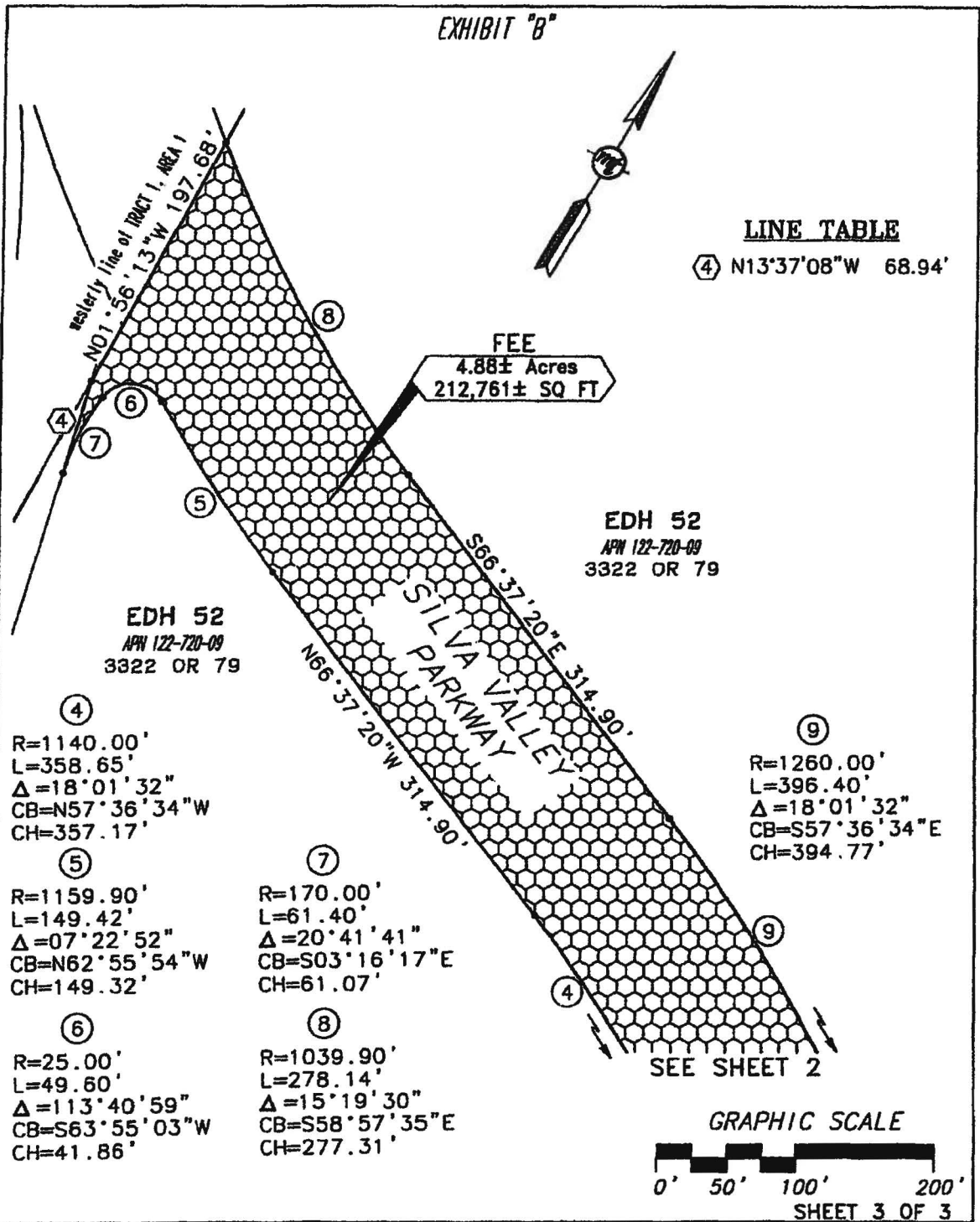


EXHIBIT "B"  
APN 122-720-09  
IN THE COUNTY OF EL DORADO  
STATE OF CALIFORNIA

Mark Thomas & Co., Inc.  
7300 Folsom Blvd, Ste. 203  
Sacramento, CA 95826  
(916) 381-9100

DWG. BY RPM      SCALE  
CK. BY MJS      1"=100'

EXHIBIT "B"



LINE TABLE

④ N13°37'08"W 68.94'

FEE  
4.88± Acres  
212,761± SQ FT

EDH 52  
APN 122-720-09  
3322 OR 79

EDH 52  
APN 122-720-09  
3322 OR 79

④  
R=1140.00'  
L=358.65'  
Δ=18°01'32"  
CB=N57°36'34"W  
CH=357.17'

⑤  
R=1159.90'  
L=149.42'  
Δ=07°22'52"  
CB=N62°55'54"W  
CH=149.32'

⑥  
R=25.00'  
L=49.60'  
Δ=113°40'59"  
CB=S63°55'03"W  
CH=41.86'

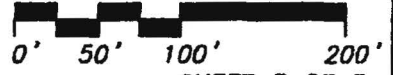
⑦  
R=170.00'  
L=61.40'  
Δ=20°41'41"  
CB=S03°16'17"E  
CH=61.07'

⑧  
R=1039.90'  
L=278.14'  
Δ=15°19'30"  
CB=S58°57'35"E  
CH=277.31'

⑨  
R=1260.00'  
L=396.40'  
Δ=18°01'32"  
CB=S57°36'34"E  
CH=394.77'

SEE SHEET 2

GRAPHIC SCALE



SHEET 3 OF 3



EXHIBIT "B"  
APN 122-720-09  
IN THE COUNTY OF EL DORADO  
STATE OF CALIFORNIA

Mark Thomas & Co., Inc.  
7300 Folsom Blvd, Ste. 203  
Sacramento, CA 95826  
(916) 381-9100

DWG. BY RPM  
CK. BY MJS  
SCALE  
1"=100'

**EXHIBIT "A"**

**APN 122-720-09**

**LEGAL DESCRIPTION**

All that property situate in the County of El Dorado, State of California, being a portion of the Parcel described in the GRANT DEED from John K. Tsakopoulos to EDH 52, a California General Partnership, recorded March 29, 1990 in Book 3322 of Deeds, Page 79, El Dorado County Records, as shown on the Map titled "RECORD OF SURVEY", filed October 20, 2010 in Book 32 of Record of Surveys, at Page 88, El Dorado County Records, being more particularly described as follows:

**SLOPE & DRAINAGE EASEMENT**

**Commencing** on the easterly line of last said GRANT DEED at the northerly line of Tong Road, as shown on last said Map; thence along the last said northerly line, North 81°23'12" West 138.69 feet to a 6 inch by 6 inch concrete monument, as shown on last said Map; thence continuing along last said northerly line, South 78°36'10" West 530.64 feet; thence leaving last said northerly line, North 42°03'35" East 140.33 feet to the beginning of a curve concave southeasterly, having a radius of 200.00 feet and chord bearing North 53°12'47" East 77.38 feet; thence northeasterly through a central angle of 22°18'25", 77.87 feet along said curve; thence North 64°22'00" East 200.60 feet to the beginning of a non-tangent curve concave southwesterly, having a radius of 1120.00 feet and chord bearing North 22°37'45" West 175.03 feet; thence northerly through a central angle of 08°57'48", 175.21 feet along said curve to the **Point of Beginning**; thence North 62°53'21" East 15.00 feet to the beginning of a non-tangent curve concave southwesterly, having a radius of 1135.00 feet and chord bearing North 35°27'59" West 329.87 feet; thence northwesterly through a central angle of 16°42'40", 331.04 feet along said curve to a point herein after referred to as **Point "A"**; thence South 32°52'24" East 328.03 feet to the **Point of Beginning**;

Together with those lands described as follows:

**Commencing** at the hereinabove described **Point "A"** on last said 1135.00 foot radius curve; thence northwesterly through a central angle of  $04^{\circ}46'29''$ , 94.59 feet along said curve to the **Point of Beginning**; thence North  $41^{\circ}24'12''$  East 5.00 feet to the beginning of a non-tangent curve concave southwesterly, having a radius of 1140.00 feet and chord bearing North  $57^{\circ}36'34''$  West 357.17 feet; thence northwesterly through a central angle of  $18^{\circ}01'32''$ , 358.65 feet along said curve; thence North  $66^{\circ}37'20''$  West 314.90 feet to the beginning of a curve concave northeasterly, having a radius of 1159.90 feet and chord bearing North  $62^{\circ}55'54''$  West 149.32 feet; thence northwesterly through a central angle of  $07^{\circ}22'52''$ , 149.42 feet along said curve to the beginning of a reverse curve concave southeasterly, having a radius of 25.00 feet and chord bearing South  $63^{\circ}55'03''$  West 41.86 feet; thence westerly through a central angle of  $113^{\circ}40'59''$ , 49.60 feet along said curve to the beginning of a curve concave easterly, having a radius of 170.00 feet and chord bearing South  $04^{\circ}08'24''$  West 17.42 feet; thence southerly through a central angle of  $05^{\circ}52'19''$ , 17.42 feet along said curve to the easterly line of the GRANT OF SLOPE EASEMENT to the COUNTY OF EL DORADO, recorded as Document Number 2005-0054184, Official Records of El Dorado County, being a point herein after referred to as **Point "B"**; thence along last said easterly line the following four (4) courses:

- 1) South  $19^{\circ}28'51''$  East 29.90 feet,
- 2) South  $40^{\circ}43'59''$  East 29.56 feet,
- 3) South  $18^{\circ}40'02''$  East 20.13 feet, and
- 4) South  $62^{\circ}32'00''$  East 39.83 feet;

thence leaving last said easterly line, North  $26^{\circ}35'43''$  East 43.23 feet; thence South  $87^{\circ}57'20''$  East 118.45 feet; thence South  $66^{\circ}37'20''$  East 250.00 feet; thence South  $43^{\circ}43'31''$  East 52.16 feet; thence South  $64^{\circ}11'58''$  East 234.80 feet to the beginning of a curve concave to the southwesterly, having a radius of 1135.00 feet and a chord bearing South  $50^{\circ}59'03''$  East 94.55 feet; thence southeasterly through a central angle of  $04^{\circ}46'29''$ , 94.58 feet along said curve to the **Point of Beginning**.



Together with those lands described as follows:

**Commencing at the hereinabove described Point "B" on said 170.00 foot radius curve; thence southerly through a central angle of 14°49'22", 43.98 feet along said curve to the westerly line of last said GRANT DEED; thence along last said westerly line, the following two (2) courses;**

- 1) North 13°37'08" West 68.94 feet and
- 2) North 01°56'13" West 197.68 feet to the beginning of a non-tangent curve concave northeasterly, having a radius of 1039.90 feet and chord bearing South 58°57'35" East 277.31 feet and the **Point of Beginning;**

thence southeasterly through a central angle 15°19'30", 278.14 feet along said curve; thence South 66°37'20" East 314.90 feet to the beginning of a curve concave southwesterly, having a radius of 1260.00 feet and chord bearing South 57°36'34" East 394.77 feet; thence southeasterly through a central angle of 18°01'32", 396.40 feet along said curve; thence North 41°24'12" East 5.00 feet to the beginning of a non-tangent curve concave southwesterly, having a radius of 1265.00 feet and chord bearing South 40°03'38" East 375.54 feet; thence southeasterly through a central angle of 17°04'21", 376.93 feet along said curve; thence South 67°25'10" East 35.48 feet to the beginning of a non-tangent curve concave southerly, having a radius of 200.00 feet and a chord bearing South 87°52'11" East 145.00 feet; thence easterly through a central angle of 42°30'27", 148.38 feet along said curve; thence South 66°36'57" East 53.98 feet to the West one-sixteenth (1/16) line of Section 1, as shown on last said Record of Survey; thence along last said West one-sixteenth (1/16) line, North 01°34'34" West 49.93 feet; thence leaving last said West one-sixteenth (1/16) line, North 65°32'32" West 105.32 feet; thence South 84°25'40" West 118.96 feet; thence North 26°54'00" West 166.04 feet; thence North 53°15'36" West 198.98 feet; thence North 59°24'58" West 320.56 feet; thence North 66°37'20" West 397.03 feet; thence North 53°36'43" West 101.45 feet to the beginning of a non-tangent curve concave to the northeast, having a radius of 1012.00 feet and a chord bearing North 60°21'58" West 23.00 feet; thence northwesterly through a central angle of 01°18'08", 23.00 feet along said curve; thence South

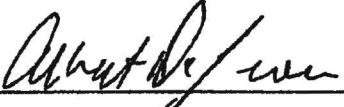
87°54'11" West 27.64 feet; thence North 60°36'10" West 128.92 feet to the **Point of Beginning.**

Together containing 63,790 square feet or 1.46 acres, more or less.

See Exhibit "B", attached hereto and made a part hereof.

Bearings used in the above description(s) are based upon CCS83 Zone 2, Epoch 1991.35. Grid distances shown are in US Survey feet, divide the distances shown above by 0.99991 to obtain ground level distances.

This real property description has been prepared at Mark Thomas & Company, Inc., by me, or under my direction, in conformance with the Professional Land Surveyors Act.

  
Albert DeLeon, LS 7716  
License expires 3-31-13

August 11, 2011  
Date



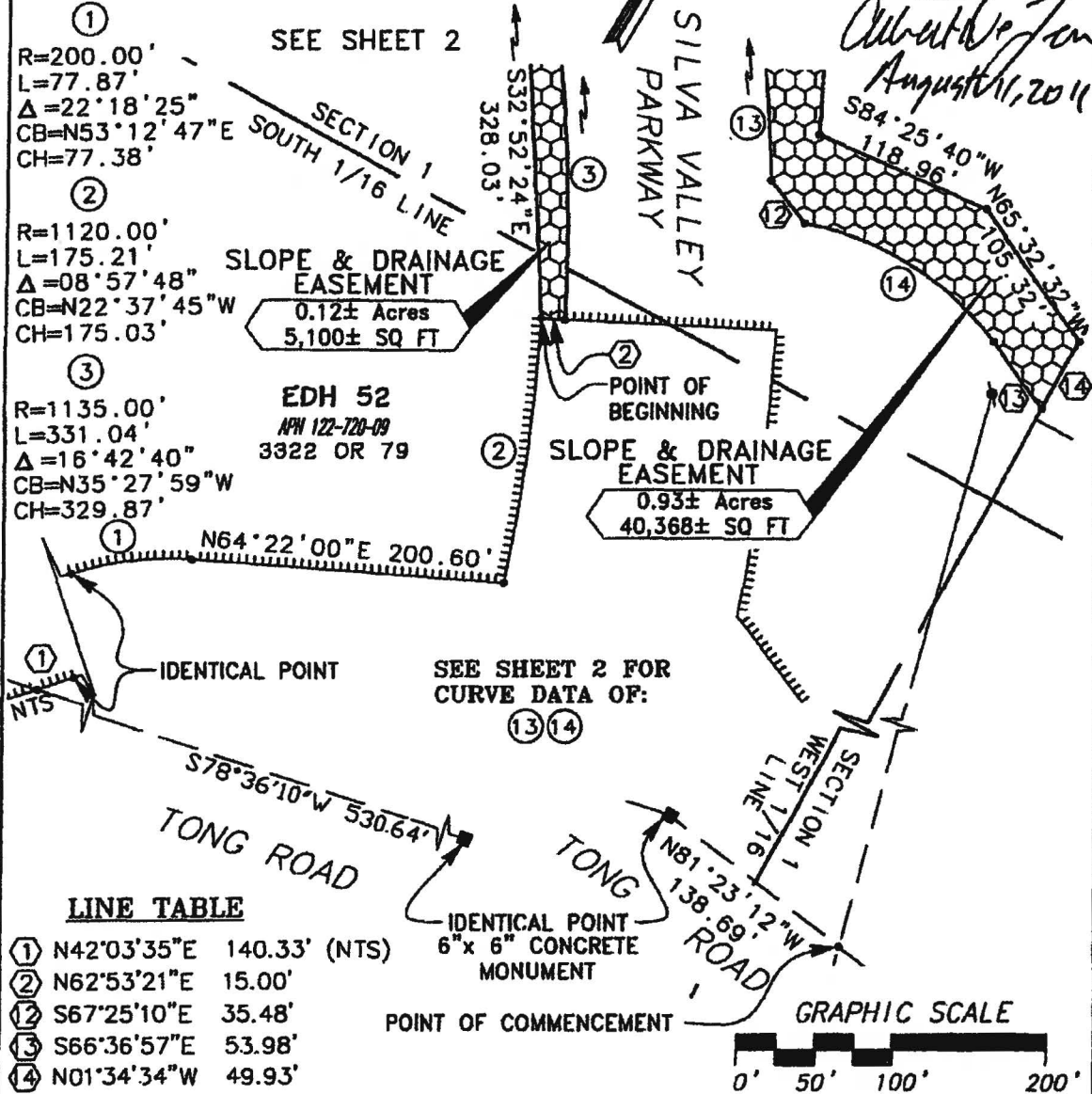
**LEGEND**

**EXHIBIT "B"**

- PROPOSED & EXISTING
- ACCESS-CONTROL RIGHT-OF-WAY
- ⚡ 5/8" REBAR, AS SHOWN ON 32 RS 88
- DIMENSION POINT TYPICAL
- NTS NOT TO SCALE



*Albert de Leon*  
August 11, 2011



- ① R=200.00'  
L=77.87'  
Δ=22°18'25"  
CB=N53°12'47"E  
CH=77.38'
- ② R=1120.00'  
L=175.21'  
Δ=08°57'48"  
CB=N22°37'45"W  
CH=175.03'
- ③ R=1135.00'  
L=331.04'  
Δ=16°42'40"  
CB=N35°27'59"W  
CH=329.87'

**LINE TABLE**

①	N42°03'35"E	140.33' (NTS)
②	N62°53'21"E	15.00'
①②	S67°25'10"E	35.48'
③	S66°36'57"E	53.98'
④	N01°34'34"W	49.93'

DWG. BY RPM  
CK. BY MJS

SCALE  
1"=100'

**EXHIBIT "B"**  
APN 122-720-09  
IN THE COUNTY OF EL DORADO  
STATE OF CALIFORNIA

Mark Thomas & Co., Inc.  
7300 Folsom Blvd, Ste. 203  
Sacramento, CA 95826  
(916) 381-9100

EXHIBIT "B"

LINE TABLE

- ③ N41°24'12"E 5.00'
- ⑪ N41°24'12"E 5.00'
- ⑫ S67°25'10"E 35.48'

SLOPE & DRAINAGE EASEMENT

0.42± Acres  
18,322± SQ FT

- ⑫ R=1260.00'  
L=396.40'  
Δ=18°01'32"  
CB=S57°36'34"E  
CH=394.77'

SEE SHEET 3

SLOPE & DRAINAGE EASEMENT

0.93± Acres  
40,368± SQ FT

- ⑬ R=1265.00'  
L=376.93'  
Δ=17°04'21"  
CB=S40°03'38"E  
CH=375.54'

- ③ R=1135.00'  
L=331.04'  
Δ=16°42'40"  
CB=N35°27'59"W  
CH=329.87'

- ④ R=1135.00'  
L=94.59'  
Δ=04°46'29"  
CB=N46°12'34"W  
CH=94.56'

- ⑤ R=1140.00'  
L=358.65'  
Δ=18°01'32"  
CB=N57°36'34"W  
CH=357.17'

- ⑨ R=1135.00'  
L=94.58'  
Δ=04°46'29"  
CB=S50°59'03"E  
CH=94.55'

POINT OF BEGINNING

POINT "A"

EDH 52  
APN 122-720-09  
3322 OR 79

- ⑭ R=200.00'  
L=148.38'  
Δ=42°30'27"  
CB=S87°52'11"E  
CH=145.00'

EDH 52  
APN 122-720-09  
3322 OR 79

SECTION 1  
SOUTH 1/16 LINE

SLOPE & DRAINAGE EASEMENT

0.12± Acres  
5,100± SQ FT

SEE SHEET 1

GRAPHIC SCALE



SHEET 2 OF 3



DWG. BY RPM  
CK. BY MJS

SCALE  
1"=100'

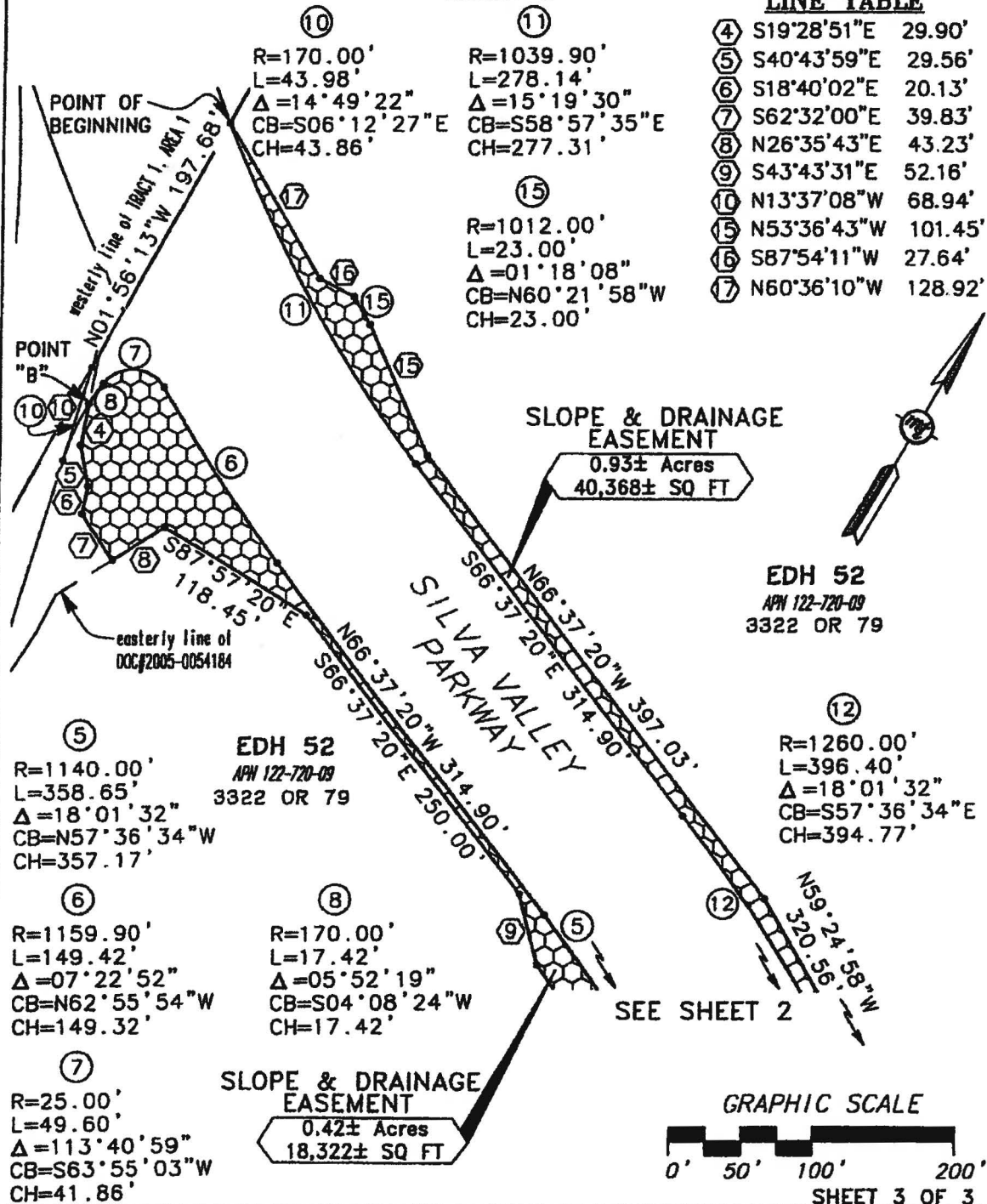
EXHIBIT "B"  
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**EXHIBIT "B"**

**LINE TABLE**

④	S19°28'51"E	29.90'
⑤	S40°43'59"E	29.56'
⑥	S18°40'02"E	20.13'
⑦	S62°32'00"E	39.83'
⑧	N26°35'43"E	43.23'
⑨	S43°43'31"E	52.16'
⑩	N13°37'08"W	68.94'
⑪	N53°36'43"W	101.45'
⑫	S87°54'11"W	27.64'
⑬	N60°36'10"W	128.92'



⑩  
R=170.00'  
L=43.98'  
Δ=14°49'22"  
CB=S06°12'27"E  
CH=43.86'

⑪  
R=1039.90'  
L=278.14'  
Δ=15°19'30"  
CB=S58°57'35"E  
CH=277.31'

⑮  
R=1012.00'  
L=23.00'  
Δ=01°18'08"  
CB=N60°21'58"W  
CH=23.00'

⑤  
R=1140.00'  
L=358.65'  
Δ=18°01'32"  
CB=N57°36'34"W  
CH=357.17'


**EDH 52**  
APN 122-720-09  
3322 OR 79

⑥  
R=1159.90'  
L=149.42'  
Δ=07°22'52"  
CB=N62°55'54"W  
CH=149.32'

⑧  
R=170.00'  
L=17.42'  
Δ=05°52'19"  
CB=S04°08'24"W  
CH=17.42'

⑦  
R=25.00'  
L=49.60'  
Δ=113°40'59"  
CB=S63°55'03"W  
CH=41.86'

⑫  
R=1260.00'  
L=396.40'  
Δ=18°01'32"  
CB=S57°36'34"E  
CH=394.77'

	<b>EXHIBIT "B"</b> <b>APN 122-720-09</b> IN THE COUNTY OF EL DORADO STATE OF CALIFORNIA		Mark Thomas & Co., Inc. 7300 Folsom Blvd, Ste. 203 Sacramento, CA 95826 (916) 381-9100
	DWG. BY RPM CK. BY MJS	SCALE 1"=100'	