



**RESOLUTION NO. 186-2010**  
**OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO**  
**RESOLUTION TO ACKNOWLEDGE BUT REJECT PEDESTRIAN EASEMENT**  
**Irrevocable Offer of Dedication #10-0008**  
**PM#50/90, Parcel B**  
**Assessor's Parcel Number 120-690-09**  
**Bencor-Saratoga L. P. a California Limited Partnership**

**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**, Bencor-Saratoga L. P. a California Limited Partnership, has executed an Irrevocable Offer of Dedication to the County of El Dorado for a pedestrian easement, situated adjacent to Saratoga Way along Parcel B of the Parcel Map filed in the office of the El Dorado County Recorder in Book 50 of Parcel Maps at page 90, and being more particularly described in Exhibit A and depicted on Exhibit B of the attached offer. The subject parcel is also identified as Assessor's Parcel Number 120-690-09, and is located between El Dorado Hills Boulevard and Saratoga Way in the unincorporated area of El Dorado Hills; and

**WHEREAS**, said pedestrian easement dedication is necessary to meet the commercial grading requirements for development; 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 pedestrian easement is hereby acknowledged but rejected at this time, by the El Dorado County 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 14 day of December, 20 10, by the following vote of said Board:

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

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

By:   
Deputy Clerk

  
Chair, Board of Supervisors

Norma Santiago

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: \_\_\_\_\_  
Deputy Clerk

Date: \_\_\_\_\_

RECORDING REQUESTED BY AND WHEN  
RECORDED MAIL TO:  
County of El Dorado  
Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667  
APN: 120-690-09

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 PEDESTRIAN EASEMENT

**BENCOR/SARATOGA L. P.**, a California Limited partnership, 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, a pedestrian 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 by reference is 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 its name this 22<sup>nd</sup> day of October, 2010.

GRANTOR: BENCOR/SARATOGA L. P.

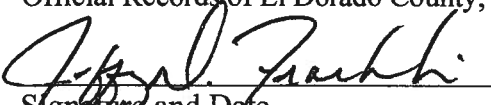
  
\_\_\_\_\_  
Signature

Benjamin T. Horton  
Printed name

Its: Manager  
Title

**BENEFICIARY:**

The undersigned, **WELLS FARGO BANK, NATIONAL ASSOCIATION**, Beneficiary under that Certain Deed of Trust dated **FEBRUARY 25, 2010**, Recorded as Document No. **2010-9075**, of the Official Records of El Dorado County, hereby consent to the recording of this document.

 October 25, 2010  
Signature and Date

Jeffrey D. Franklin, Senior Vice President  
Printed name and title

(A Notary Public must acknowledge all signatures)

ACKNOWLEDGMENT

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF EL PASO     )

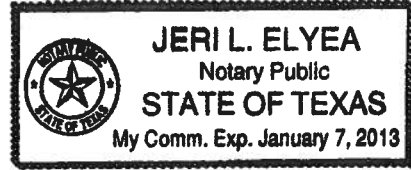
This instrument was acknowledged before me on October 22, 2010, by **BENJAMIN T. HORTON** as Manager of **BENCOR HORIZONS, LLC**, a Colorado limited liability company, the General Partner of **BENCOR/SARATOGA L.P.**, a CALIFORNIA limited partnership.

*Elizabeth Murten*  
\_\_\_\_\_  
NOTARY PUBLIC FOR COLORADO

My Commission Expires 11/26/2010



ACKNOWLEDGMENT



STATE OF TEXAS            )  
  ) ss.  
COUNTY OF WICHITA     )

This instrument was acknowledged before me on October 25<sup>th</sup>, 2010, by Jeffrey D. Franklin, as Senior Vice President of Wells Fargo Bank, N.A.

Jeri L. Elyea  
NOTARY PUBLIC FOR TEXAS

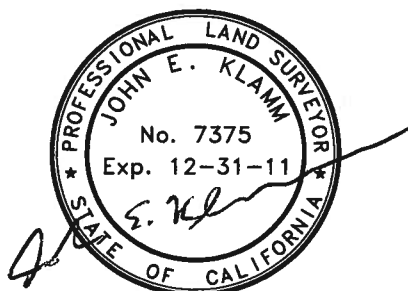
My Commission Expires 1/7/13

**EXHIBIT "A"**  
**PEDESTRIAN EASEMENT**

ALL THAT REAL PROPERTY SITUATED IN THE COUNTY OF EL DORADO, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL B, AS SHOWN ON THE PARCEL MAP FILED IN THE OFFICE OF THE RECORDER OF SAID COUNTY ON MARCH 1, 2010 IN BOOK 50 OF PARCEL MAPS, AT PAGE 90, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL B; THENCE FROM SAID POINT OF BEGINNING, ALONG THE WESTERLY BOUNDARY THEREOF, THE FOLLOWING TWO (2) COURSES: (1) NORTH 08°57'01" WEST, 288.67 FEET; AND (2) NORTH 03°23'22" EAST, 33.34 FEET; THENCE SOUTH 48°17'49" EAST, 10.01 FEET; THENCE SOUTH 41°42'11" WEST, 9.71 FEET; THENCE SOUTH 03°32'36" EAST, 19.00 FEET; THENCE SOUTH 08°55'09" EAST, 231.93 FEET; THENCE SOUTH 42°35'38" EAST, 7.80 FEET; THENCE NORTH 81°16'50" EAST, 2.63 FEET; THENCE SOUTH 08°57'18" EAST, 50.00 FEET TO THE SOUTHERLY BOUNDARY OF SAID PARCEL B; THENCE, ALONG SAID SOUTHERLY BOUNDARY, SOUTH 81°02'59" WEST, 11.01 FEET TO THE POINT OF BEGINNING.

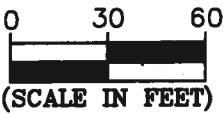
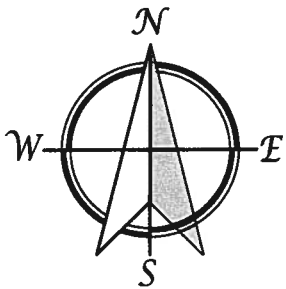
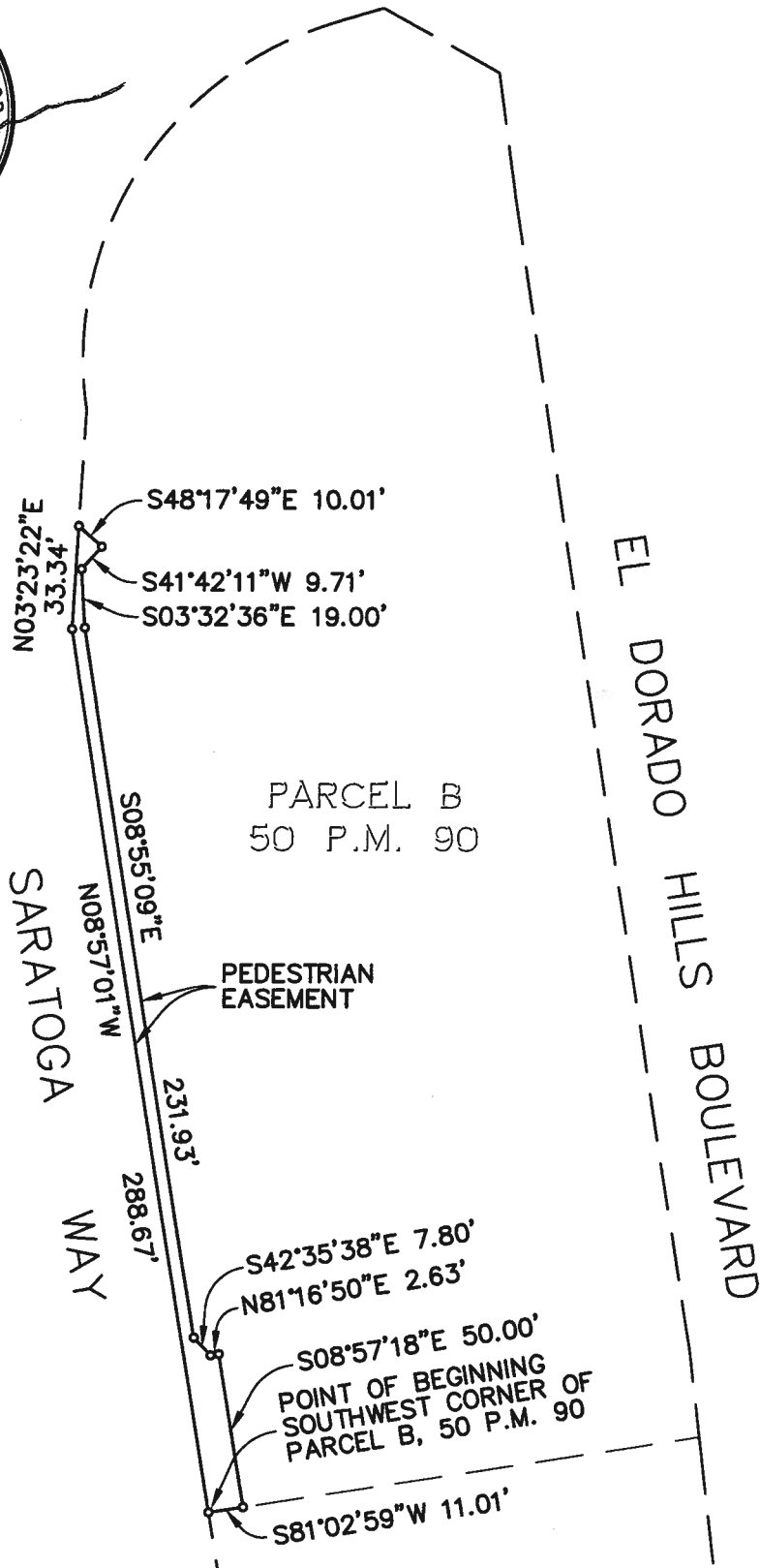
END OF DESCRIPTION



10/26/10



10/26/10



**EXHIBIT "B"**  
**PEDESTRIAN EASEMENT**  
 PORTION OF PARCEL B, 50 P.M. 90  
 COUNTY OF EL DORADO  
 STATE OF CALIFORNIA



31 Natoma Street, Suite #160  
 Folsom, CA 95630  
 Phone: (916) 608-0707  
 Fax: (916) 608-0701

**TSD ENGINEERING, INC.**  
 expect more.

SCALE:  
1"=60'

DATE:  
10/22/10

SHEET  
1 OF 1

**RECORDING REQUESTED BY:**

Board of Supervisors

**EL DORADO CO. RECORDER-CLERK**

**WHEN RECORDED MAIL TO:**

Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667

12/17/2010, 20100062132

\*\*\*\*\*

SPACE ABOVE THIS LINE RESERVED FOR  
RECORDER'S USE

**TITLE (S)**

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