



**RESOLUTION NO. 184-2010**

**OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO  
RESOLUTION TO ACKNOWLEDGE BUT REJECT DRAINAGE 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 drainage easements, situated adjacent to El Dorado Hills Boulevard 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 property is also identified as Assessor's Parcel Number 120-690-09, and is situated between El Dorado Hills Boulevard and Saratoga Way, in El Dorado Hills.; and

**WHEREAS**, said drainage 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 drainage 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, 2010, by the following vote of said Board:

Ayes: Knight, Santiago, Nutting, Sweeney, Briggs

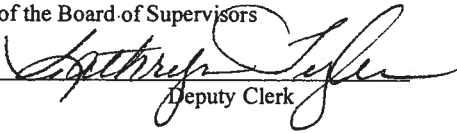
Noes: none

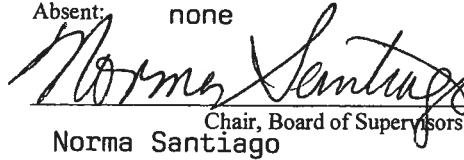
Absent: none

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

Above section for Recorder's use

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

## IRREVOCABLE OFFER OF DEDICATION DRAINAGE 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, 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 its name this 18<sup>th</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.

Signature and Date

Jeffrey D. Franklin 10/19/10

Printed name and title


Jeffrey D. Franklin, Senior Vice President

(A Notary Public must acknowledge all signatures)

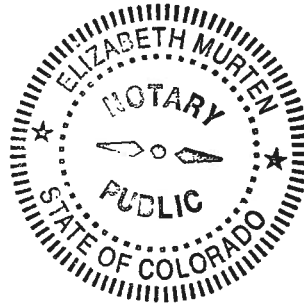
ACKNOWLEDGEMENT

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

This instrument was acknowledged before me on October 18, 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.

  
NOTARY PUBLIC FOR  
STATE OF COLORADO

My commission expires: 11/26/2010

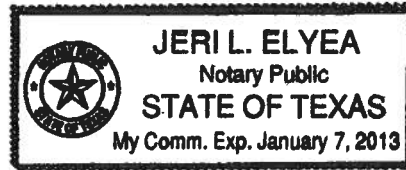


ACKNOWLEDGEMENT

STATE OF TEXAS            )  
  ) s.s.  
COUNTY OF WICHITA    )

This instrument was acknowledged before me on October 19<sup>th</sup>, 2010, by JEFFREY D. FRANKLIN, as Senior Vice President of Wells Fargo Bank, N.A.

Jeri L. Elyea  
NOTARY PUBLIC FOR  
STATE OF TEXAS



My commission expires: January 7, 2013

**EXHIBIT "A"**  
**DRAINAGE 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:

**AREA A:**

A STRIP OF LAND HAVING A UNIFORM WIDTH OF FIFTEEN (15.00) FEET, LYING SEVEN AND ONE-HALF (7.50) FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT LOCATED ON THE SOUTHERLY BOUNDARY OF SAID PARCEL B, FROM WHICH THE SOUTHWEST CORNER THEREOF BEARS SOUTH 81°02'59" WEST, 139.38 FEET; THENCE FROM SAID POINT OF BEGINNING NORTH 06°42'17" EAST, 39.22 FEET TO A POINT HEREBY BEING DESIGNATED AS POINT "A"; THENCE NORTH 07°55'10" WEST, 179.05 FEET; THENCE NORTH 09°24'33" WEST, 166.14 FEET; THENCE NORTH 41°44'34" WEST, 47.71 FEET TO THE POINT OF ENDING.

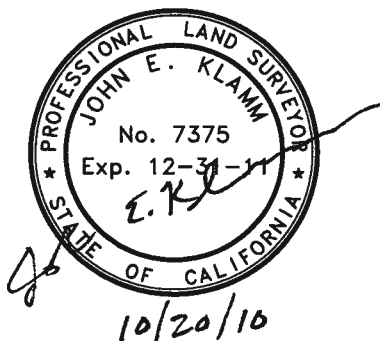
**AREA B:**

A STRIP OF LAND HAVING A UNIFORM WIDTH OF FIFTEEN (15.00) FEET, LYING SEVEN AND ONE-HALF (7.50) FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE ABOVE DESIGNATED POINT "A"; THENCE FROM SAID POINT OF BEGINNING NORTH 82°09'44" WEST, 51.47 FEET; THENCE SOUTH 81°16'50" WEST, 27.00 FEET; THENCE NORTH 11°41'35" WEST, 51.40 FEET; THENCE NORTH 32°12'01" WEST, 122.33 FEET; THENCE NORTH 03°35'03" EAST, 74.07 FEET TO THE POINT OF ENDING.

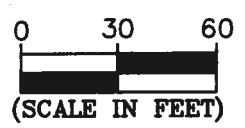
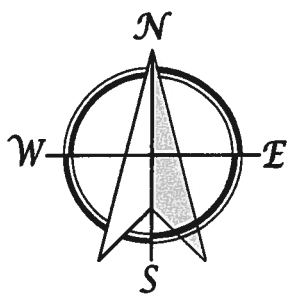
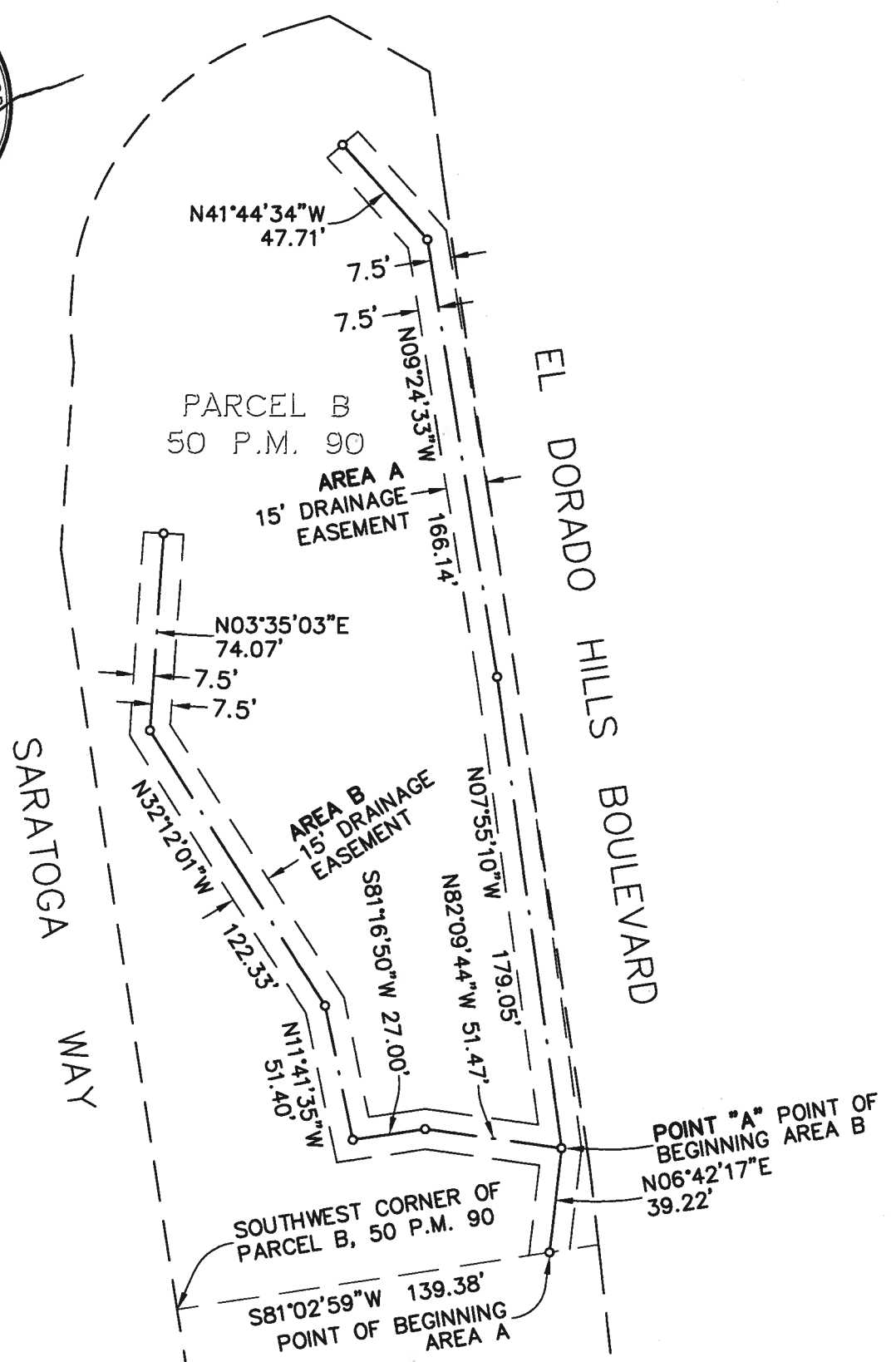
THE SIDELINES OF SAID STRIPS OF LAND SHALL BE SHORTENED OR LENGTHENED SO AS TO TERMINATE AT THE BOUNDARY OF SAID PARCEL B.

END OF DESCRIPTION





10/20/10



**EXHIBIT "B"**  
**DRAINAGE 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:  
 10/8/10  
 SHEET  
 1 OF 1

**RECORDING REQUESTED BY:**

**Board of Supervisors**

**EL DORADO CO. RECORDER-CLERK**

**12/17/2010, 20100062133**

**WHEN RECORDED MAIL TO:**

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

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SPACE ABOVE THIS LINE RESERVED FOR  
RECORDER'S USE

**TITLE (S)**

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