

SADDLE CREEK COMMUNITY SERVICE DISTRICT

RESOLUTION NO 03-015

A RESOLUTION AUTHORIZING THE BOARD PRESIDENT
TO SIGN A QUIT CLAIM
EXTINGUISHING A PORTION OF 'B' DRIVE

WHEREAS, Castle and Cooke Saddle Creek, Inc., is the Developer of Saddle Creek Project (hereinafter "Developer"); and

WHEREAS, the Saddle Creek Community Services District was formed to maintain certain facilities and provide certain services to residents of Saddle Creek (hereinafter "District"); and,

WHEREAS, the Saddle Creek Project has previously transferred easements of certain roads for road, utility, storm drainage, pedestrian, bicycle, landscape, access control and animal crossings purposes to the District by separate instrument, recorded on January 29, 1999 as document number 1999 1439 in the Official Book of Records of Calaveras County; and,

WHEREAS, the Developer has determined, that a portion of the easement for 'B' Drive must be re-aligned to facilitate the development of Saddle Creek Unit 4. And, since no improvements have been constructed within portion of 'B' Drive, and,

WHEREAS, the District finds that it is in the public interest to release their interest in that certain portion of the easement for 'B' Drive in favor of accepting the easement to Oak Creek Drive as shown on the Final Map for Saddle Creek Unit 4, more particularly described in Exhibit A of the accompanying Quit Claim deed,

NOW THEREFORE, THE BOARD OF DIRECTORS FINDS:

1. The foregoing recitals are true and correct.
2. The purpose for which certain easement was created no longer serves the public interest and requires relocation.
3. There is no foreseeable public interest that could be served by retaining easement interests.

NOW THEREFORE, BE IT RESOLVED:

The District hereby authorizes the Board President to execute those quitclaim documents attached.

Passed and adopted this 9th day of November, 2003.

AYES _____

NOES _____

ABSTAIN _____

ABSENT _____

Robinson

President, Charles

Ruth Foy, Clerk