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SADDLE CREEK COMMUNITY SERVICES DISTRICT
RESOLUTION NO. _____
A RESOLUTION OF THE BOARD OF DIRECTORS OF
SADDLE CREEK COMMUNITY SERVICES DISTRICT
AUTHORIZING THE EXTINGUISHMENT OF INTEREST
IN A PORTION OF “D” DRIVE

WHEREAS, Castle & Cooke Saddle Creek, Inc. is the developer of the Saddle Creek Project; and,

WHEREAS, the Saddle Creek Community Services District is the Public Agency formed to maintain certain facilities and improvements and provide certain services to the residents of Saddle Creek; and,

WHEREAS, Saddle Creek Project has previously transferred easements of certain easements for roads, utility, storm drainage, pedestrian, bicycle, landscape, access control and animal crossing purposes to Saddle Creek Community Services District by separate instruments, recorded on November 22, 1999 as Instrument Number 1999 14956, in the Official Book of Records of Calaveras County; and,

WHEREAS, the Developer has determined that portions of the easements previously dedicated to Saddle Creek Community Services District must be re-aligned to facilitate the development of Saddle Creek Unit 5; and,

WHEREAS, no improvements have been or will be constructed on the previously dedicated easements within the portions of “D” Drive; and,

WHEREAS, Saddle Creek Community Services District finds that it is in the public interest to quit claim its interest in the easements previously granted for portions of “D” Drive in favor of accepting easements for Saddle Creek Lane, as it is shown on the “Re-Subdivision Large Lot Map for Portions of Saddle Creek”, and more particularly described in Exhibit “A” attached hereto and made a part thereof ; and,

WHEREAS, the Board of Directors of the Saddle Creek Community Services District hereby finds that;

1. The foregoing recitals are true and correct,
2. The purpose for which the easement was created no longer serves the public interest and the easement area to be abandoned, as described in the accompanying Exhibit “A” was never used any public purpose, and
3. There is no foreseeable public interest served by retaining the current easement

NOW THEREFORE BE IT RESOLVED, by the Board of Directors that upon receipt, review and approval of all requested maps, documents and information by CSD Staff, the Board of Directors of the Saddle Creek Community Services District hereby abandons those easements described in "Exhibit A" and authorizes the Board President to execute the Quitclaim Document attached hereto..

THE FOREGOING RESOLUTION was introduced at a regular meeting of the Saddle Creek Community Services District held on February 12, 2006, by Director _____, who moved for its adoption, and which was duly seconded by Director _____, and the Resolution was adopted by the following vote:

AYES:

NOES:

Abstain:

ABSENT:

Dennis Merrill, President

Phyllis Richards, CSD Clerk