

Meeting Date: 12/15/2015

Report Type: Consent

Report ID: 2015-01110

Title: The Summary Vacation of the Irrevocable Offer of Dedication for Park Purposes at Township 9

Location: South of the American River at Township 9 Development, District 3

Recommendation: Pass a Resolution vacating the recorded Irrevocable Offer of Dedication (IOD) for park purposes on record as Book 20121030 at Page 0522 of Official Record with the Recorder's Office of the County of Sacramento.

Contact: Thomas Adams, Engineering Technician, (916) 808-7929; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

Presenter: None

Department: Public Works Department

Division: Engineering Services Admin

Dept ID: 15001111

Attachments:

- 1-Description/Analysis
- 2-Background
- 3-Location Map
- 4-Irrevocable Offer of Dedication
- 5-Resolution
- 6-Exhibit A - Irrevocable Offer of Dedication

City Attorney Review

Approved as to Form

Paul Gale

12/2/2015 2:19:03 PM

Approvals/Acknowledgements

Department Director or Designee: Jerry Way - 12/2/2015 11:40:21 AM

Description/Analysis

Issue Detail: Pursuant to a request for vacation made by T9 Affordable Housing Partners, LP, the applicant is requesting the vacation of the IOD (for three separate parcels known as Lot A, Lot B, and Lot C) that was recorded for park purposes on behalf of the City of Sacramento as described in the recorded document in book 20121030 at page 0522 of Official Record (see attachment 3). One of the buildings footprints, façade and awnings encroached within the area identified as Lot C within the recorded IOD document. Upon removal of all exceptions on the current title report, a new grant deed for Lot C will be accepted by the City that excludes the area encroached by the existing buildings, a new IOD will be recorded for the existing Lots A and B, and the existing recorded IOD will be vacated.

Policy Considerations: The Council action recommended in this report is consistent with the 2035 General Plan, and is in compliance with California State Code Section 7050 and the Streets and Highways code for Summary Vacation Sections 8330-8334.

Economic Impacts: None

Environmental Considerations:

California Environmental Quality Act and National Environmental Policy Act (CEQA/NEPA): The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that the vacation of the Irrevocable Offer of Dedication is exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15305, Minor Alteration in Land Use Limitation. The vacation of the public service easement consists of a minor alteration in land use, which does not result in any changes in land use or density.

Sustainability Considerations: None.

Commission/Committee Action: None.

Rational for Recommendation: The vacation request to relinquish the IOD will provide a clear legal understanding of the areas identified within the recorded document that make up the three parcels for park purposes.

Financial Considerations: The applicant is responsible for all fees required to process this vacation application request and there is no cost to the City.

Local Business Enterprise (LBE): None.

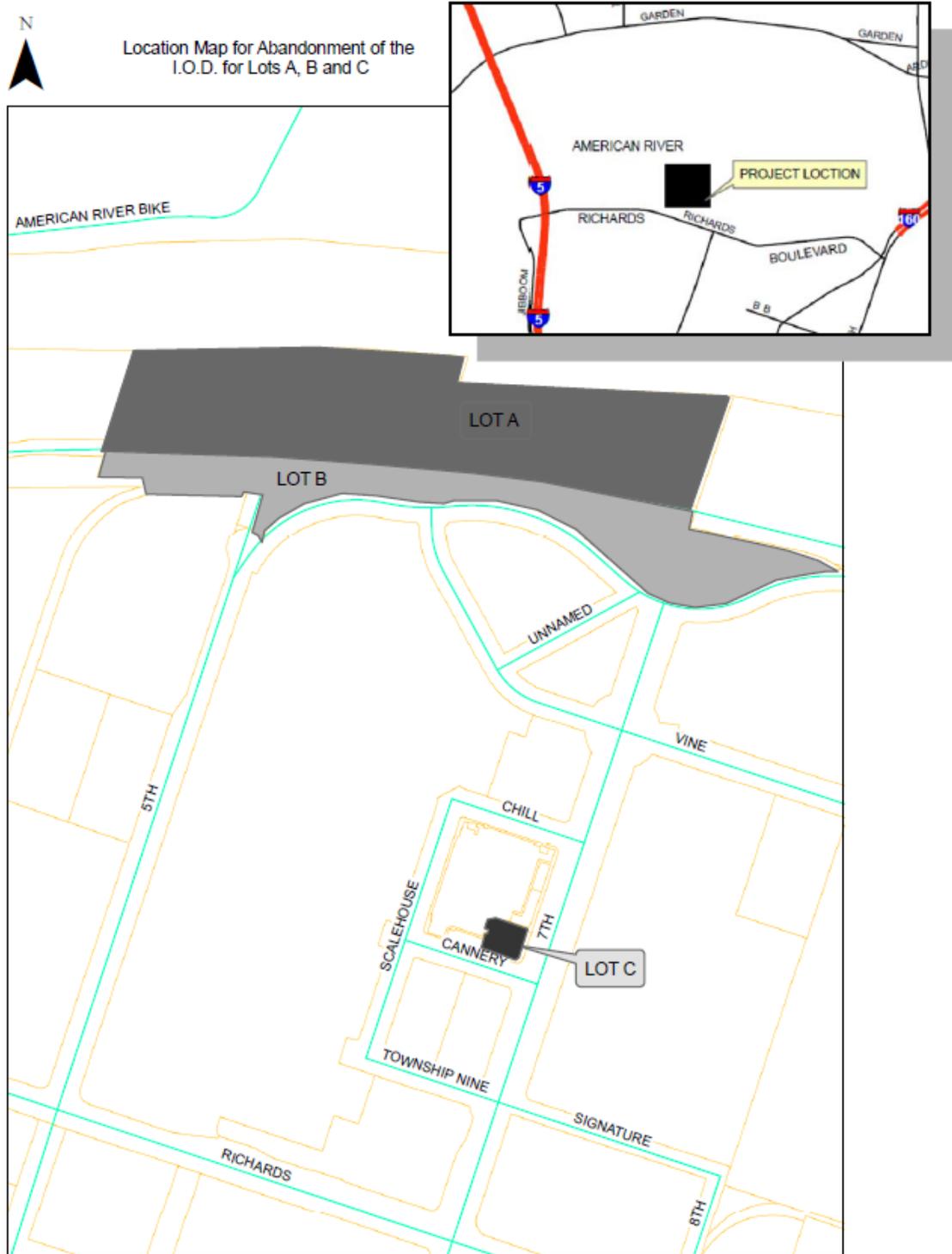
Background

Township 9 is a 65-acre planned mixed use community located in the City's River District in the Central City Community Plan Area. During the Township 9 entitlements process a unique urban park system was proposed as part of an urban design approach. To meet the design of a "turn-key" park an Irrevocable Offer of Dedication was recorded to cover 3 parcels for park purposes in Book 20121030 at Page 0522 with the Recorder's Office of Sacramento County (see attachment 3). The parcels listed as Lots A, B and C within the recorded document are the identified areas for city parks within the City of Sacramento. Lot C now known as "Cannery Plaza" has been built out as a functional outdoor park area with a mixture of hardscape and landscaping for everyday public use. Adjacent to this area is a mixed use retail and 180 affordable housing unit complex. This mixed use building was built out with a portion of the building's façade, awnings and footprint encroaching into Lot C "Cannery Plaza". The encroachment of the building façade and awnings presents a problem if and when the city would accept the IOD. The process to accurately depict all lots dedicated to the City will first require a grant deed for Lot C, recording a new IOD for Lots A and B, and vacating the recorded IOD for Lots A, B, and C.

To correct the building encroachment into the area of Cannery Plaza, the City's Parks and Recreation Department requires the owner to grant the unencumbered area of Cannery Plaza to the city with a grant deed. It is anticipated the updated area of Lot C will be granted and accepted by the city prior to this vacation being heard at City Council. The new grant deed for the updated Lot C area and new IOD for Lot A and Lot B (both areas remain unchanged) secures all three parcels to the City. This allows the city the ability to abandon the previously recorded IOD for Lots A, B and C. The new IOD for Lots A and B for city park purposes has been approved and recorded prior to City Council action. The abandonment of all 3 parcels has been secured with a new grant deed and IOD as noted above.

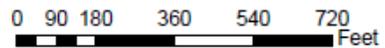
Staff, including various City departments and the city's Real Estate Section of Public Works, have reviewed this request and support the proposed abandonment request.

Attachment 2



City of
SACRAMENTO
Department of Public Works

Prepared by: T. Adams
Map Date: Nov/15



RECORDED FOR THE BENEFIT OF
THE CITY OF SACRAMENTO
GOV. CODE 6103

WHEN RECORDED RETURN TO:
CITY OF SACRAMENTO
ATTN: JERRY LOVATO
Department of Transportation
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811


Sacramento County Recorder
Craig A. Kramer, Clerk/Recorder
BOOK 20121030 PAGE 0522
Tuesday, OCT 30, 2012 10:31:14 AM
Ttl Pd \$0.00 Rept # 0007511164
DHB/58/1-9

APN: 001-0020-003,034,036,041,044, 045,046,052, 001-0200-012,034

DOCUMENTARY TRANSFER TAX NOT REQUIRED:
SEC.11922 REVENUE AND TAXATION CODE.

**IRREVOCABLE OFFER OF DEDICATION
FEE TITLE**

THE UNDERSIGNED HEREBY CERTIFIES THAT I /WE /AM /ARE THE LEGAL OWNERS OF, OR ARE PARTIES HAVING AN INTEREST IN THE HEREINAFTER DESCRIBED REAL PROPERTY, AND THE UNDERSIGNED, FOR THEMSELVES, THEIR HEIRS, SUCCESSORS, AND ASSIGNS, DO HEREBY IRREVOCABLY OFFER TO DEDICATE TO THE CITY OF SACRAMENTO, A MUNICIPAL CORPORATION. THE REAL PROPERTY BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES AND LOCATED IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS TO-WIT:

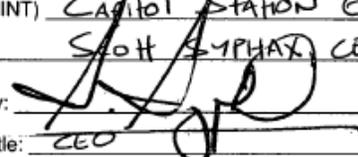
SEE EXHIBITS "A" (LEGAL DESCRIPTION) AND "B" (EXHIBIT MAP) ATTACHED HERETO AND MADE A PART HEREOF

RESERVING, HOWEVER, UNTO THE UNDERSIGNED, THEIR HEIRS, SUCCESSORS AND ASSIGNS ANY AND ALL PRESENT LAWFUL USES OF SAID LAND, UNTIL SUCH TIME AS THE CITY MANAGER'S DESIGNEE OF THE CITY OF SACRAMENTO GIVES WRITTEN NOTICE THAT SAID LAND WILL BE IMPROVED FOR PUBLIC PURPOSES, AND IT IS ALSO HEREBY UNDERSTOOD AND AGREED BY THE UNDERSIGNED, THEIR HEIRS, SUCCESSORS, AND ASSIGNS, THAT ANY IMPROVEMENTS HEREINAFTER PLACED BY THEM IN OR UPON THE ABOVE DESCRIBED PROPERTY SHALL BE REMOVED WITHOUT COST OR EXPENSE TO THE CITY OF SACRAMENTO. UNTIL SUCH NOTICE IS GIVEN BY THE CITY MANAGER'S DESIGNEE, THE UNDERSIGNED, AND THEIR HEIRS, SUCCESSORS OR ASSIGNS AGREE TO ASSUME FULL RESPONSIBILITY OR LIABILITY FOR ANY INJURY OR DAMAGE TO ANY PERSON OR PROPERTY ON SAID LAND OR ARISING OUT OF ITS USE OR OCCUPANCY BY THEM. IT IS ALSO HEREBY UNDERSTOOD THAT ALL WORK TO BE DONE IN OR UPON THE ABOVE DESCRIBED PROPERTY SHALL BE DONE UNDER PERMIT AND DONE IN ACCORDANCE WITH PLANS TO BE FURNISHED BY THE PRINCIPAL AND APPROVED BY THE CITY MANAGER'S DESIGNEE OF THE CITY OF SACRAMENTO, AND IN ACCORDANCE WITH THE SPECIFICATIONS OF THE CITY MANAGER'S DESIGNEE OF THE CITY OF SACRAMENTO. UPON WRITTEN REQUEST BY THE CITY MANAGER'S DESIGNEE OF THE CITY OF SACRAMENTO PRIOR TO HIS OR HER ACCEPTANCE OF THE DEDICATION OFFERED HEREUNDER, THE UNDERSIGNED, THEIR HEIRS, SUCCESSORS, AND ASSIGNS AGREE TO PROVIDE AT NO COST TO THE CITY OF SACRAMENTO A CLTA OWNER'S POLICY OF TITLE INSURANCE INSURING, AT THE CURRENT MARKET VALUE, THE CONVEYANCE TO THE CITY OF SACRAMENTO OF CLEAR TITLE FREE OF ENCUMBRANCES.

THE DEDICATION OFFERED HEREUNDER SHALL BE COMPLETE UPON ITS WRITTEN ACCEPTANCE BY THE CITY MANAGER'S DESIGNEE OF THE CITY OF SACRAMENTO.

OWNER'S NAME (PRINT) Capitol Station 65, LLC.

Scott Syphax, CEO

By: 

Title: CEO

By: _____

Title: _____

[ATTACH NOTARY ACKNOWLEDGEMENT]

07-10

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
 County of Sacramento }
 On Oct. 4, 2012 before me, Mary L. Ackman, Notary Public
Date Here Insert Name and Title of the Officer
 personally appeared Scott Syphax
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(e) whose name(e) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/hers/their authorized capacity(ies), and that by his/hers/their signature(s) on the instrument the person(e), or the entity upon behalf of which the person(e) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Mary L. Ackman
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Irrevocable Offer of Dedication
 Document Date: Oct. 4, 2012 Number of Pages: 8
 Signer(s) Other Than Named Above: None

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Individual
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Attorney in Fact
 Trustee
 Guardian or Conservator
 Other: _____
 Signer Is Representing: _____



Signer's Name: _____
 Individual
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Attorney in Fact
 Trustee
 Guardian or Conservator
 Other: _____
 Signer Is Representing: _____



Exhibit "A"
Legal Description
IOD for Park Purposes

Lot A

All that portion of Parcels 9 and 12 as said Parcels are shown on that certain Record of Survey filed October 30, 1968 in Book 26 of Surveys, Page 28, Official Records of the County of Sacramento, State of California, and described as follows:

Beginning at the most northwesterly corner of said Parcel 9;

Thence along the northerly and easterly lines of said Parcel 9, North 89°16'13" East, 577.57 feet;

Thence South 84°50'47" East, 299.09 feet;

Thence South 18°29'13" West, 71.70 feet to the most northwesterly corner of said Parcel 12;

Thence along the northerly and easterly lines of said Parcel 12 South 87°17'39" East, 727.42 feet;

Thence South 18°29'13" West, 309.92 feet;

Thence leaving said easterly line North 77°31'16" West, 148.19 feet;

Thence North 79°42'36" West, 171.11 feet;

Thence North 82°07'43" West, 389.55 feet;

Thence North 84°48'19" West, 460.53 feet;

Thence North 89°30'35" West, 408.59 feet to a point on the westerly line of said Parcel 9;

Thence along said westerly line North 18°29'13" East, 268.51 feet to the **Point of Beginning**.

Said Parcel contains 9.634± Acres, more or less.

Lot B

All that portion of Parcels 9, 10, 12, 13, 15 and a portion of those lands designated as 'Southern Pacific Company' as said Parcels are shown on that certain Record of Survey filed October 30, 1968 in Book 26 of Surveys, Page 28, together with a portion of Parcel 2 of the certain Quitclaim Deed Recorded in Book 20060125 Page 1897, Official Records of the County of Sacramento, State of California, and described as follows:

Beginning at the most southwesterly corner of said Parcel 9;

Thence along the westerly line of said Parcel 9, North $18^{\circ}29'13''$ East, 84.76 feet;

Thence leaving said westerly line South $89^{\circ}30'35''$ East, 408.59 feet;

Thence South $84^{\circ}48'19''$ East, 460.53 feet;

Thence South $82^{\circ}07'43''$ East, 389.55 feet;

Thence South $79^{\circ}42'36''$ East, 171.11 feet;

Thence South $77^{\circ}31'16''$ East, 148.19 feet to a point on the easterly line of said Parcel 12;

Thence along said easterly line South $18^{\circ}29'13''$ West, 56.33 feet to a point on the northerly line of said Parcel 2;

Thence along said northerly line South $77^{\circ}28'37''$ East, 302.89 feet;

Thence along the arc of a tangent curve, concave southerly, having a radius of 296.84 feet, through a central angle of $29^{\circ}18'54''$, for a distance of 151.87 feet to a point of cusp;

Thence leaving said northerly line along the arc of a non-tangent curve, concave southerly, having a radius of 450.00 feet, from a radial that bears North $06^{\circ}31'37''$ East, through a central angle of $34^{\circ}26'13''$, for a distance of 270.47 feet;

Thence along the arc of a reverse curve, concave northerly, having a radius of 300.00 feet, through a central angle of $69^{\circ}39'36''$, for a distance of 364.74 feet;

Thence North $48^{\circ}15'01''$ West, 117.41 feet;

Thence along the arc of a tangent curve, concave southerly, having a radius of 480.00 feet, through a central angle of $47^{\circ}46'02''$, for a distance of 400.17 feet;

Thence along the arc of a reverse curve, concave northerly, having a radius of 575.00 feet, through a central angle of $18^{\circ}11'51''$, for a distance of 182.62 feet;

Thence along the arc of a reverse curve, concave southerly, having a radius of 350.00 feet, through a central angle of $54^{\circ}22'16''$, for a distance of 332.13 feet;

Thence along said Westerly line North 18°29'58" East, 13.30 feet to a point on the South line of Said Parcel 2;

Thence along the Southerly line of said Parcel 2 North 71°30'02" West, 30.00 feet;

Thence North 18°29'58" East, 83.37 feet;

Thence along the arc of a non-tangent curve, concave southerly, having a radius of 312.72 feet from a radial that bears North 16°12'30" East, through a central angle of 02°33'21", for a distance of 13.95 feet;

Thence North 76°18'45" West, 36.21 feet;

Thence South 18°29'58" West, 6.68 feet;

Thence North 84°34'48" West, 27.88 feet;

Thence along a tangent curve concave southerly having a radius of 843.56 feet, through a central angle of 05°45'20", for a distance of 84.74 feet;

Thence South 89°39'52" West, 75.07 feet;

Thence South 85°11'33" West, 64.20 feet;

Thence along the arc of a non-tangent curve concave southerly having a radius of 276.84 feet from a radial that bears North 08°30'24" West, through a central angle of 03°42'17", for a distance of 17.90 feet;

Thence non-tangent to said curve North 12°07'43" West, 49.36 feet to the most northwesterly corner of said Parcel 2 and a point on the southerly line of said Parcel 9;

Thence along said southerly line South 89°48'13" West, 126.53 feet to the **Point of Beginning**.

Said Parcel contains 6.249± Acres, more or less.

Lot C

All that portion of Parcel 13 as said Parcel is shown on that certain Record of Survey filed October 30, 1968 in Book 26 of Surveys, Page 28, Official Records of the County of Sacramento, State of California, and described as follows:

Commencing at the intersection of the centerline of Richards Boulevard and North 7th Street as said intersection is shown on said Record of Survey;

Thence along said centerline of said North 7th Street, North 18°28'55" East, 719.41 feet to the **Point of Beginning**;

Thence from said **Point of Beginning** North 71°31'05" West, 163.17 feet;

Thence North 18°28'59" East, 77.93 feet;

Thence South 71°31'01" East, 3.50 feet;

Thence North 18°28'59" East, 10.75 feet;

Thence North 71°31'01" West, 10.00 feet;

Thence North 18°28'59" East, 29.34 feet;

Thence North 86°38'53" East, 20.70 feet;

Thence South 71°30'57" East, 150.45 feet to a point on the centerline of said North 7th Street;

Thence along said centerline of North 7th Street, South 18°28'55" West, 125.71 feet to the **Point of Beginning**.

Said Parcel contains 0.474± Acres, more or less.

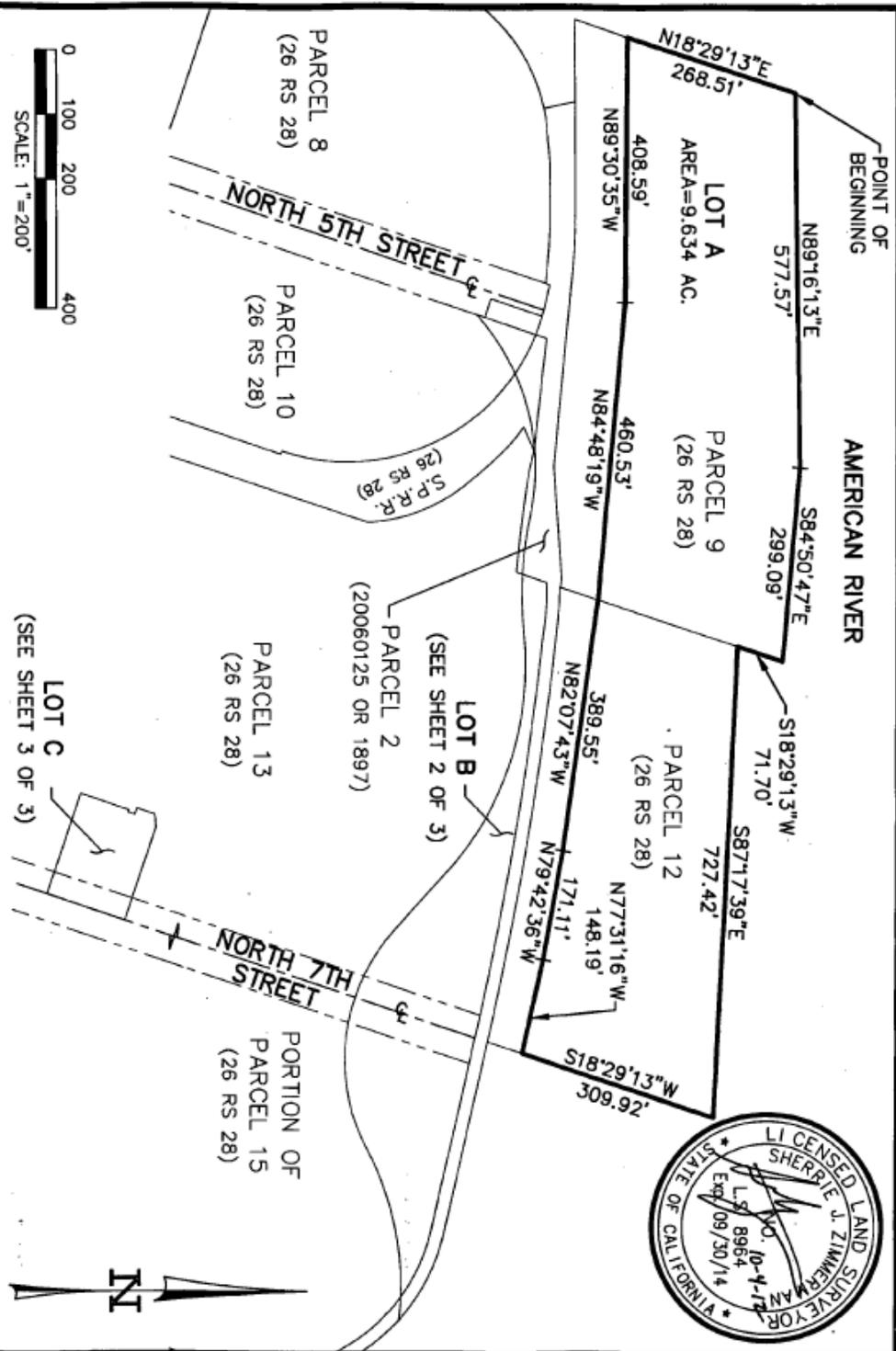
The Basis of Bearing of this Survey is identical with that of the centerline of Richards Boulevard, as shown on the Record of Survey recorded in Book 58 of Surveys, Page 4. The bearing is given as North 71°44'05" West.

See Exhibit "B", plat to accompany description, attached hereto and made a part hereof.



Sherrie J. Zimmerman PLS 8964 10-4-12 Date
License Expires: September 30, 2014





NOTE

BEYOND ENGINEERING

DATE: _____ TIME: _____

NETWORK: _____

PATH: _____

DWG NAME: _____

PLOT VIEW: _____

DESIGNER: _____ MGR: _____

EXHIBIT 'B'

IOD FOR PARK PURPOSES LOT A

CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

PREPARED FOR: CITY OF SACRAMENTO

DATE SUBMITTED: OCTOBER 2012

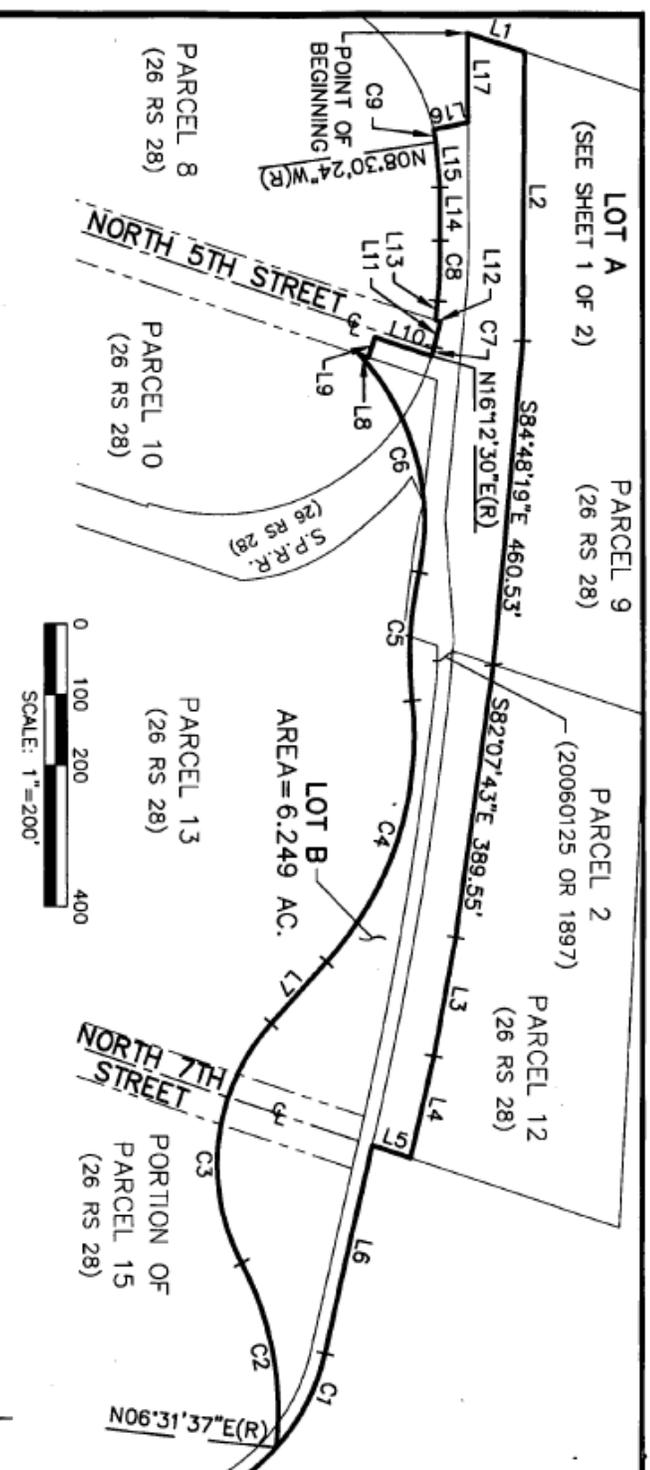
SHEET NUMBER

1

OF 3 SHEETS

JOB NUMBER

SA0191



LINE TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N18°29'13"E	84.76'	L10	N18°29'58"E	83.37'
L2	S89°30'35"E	408.59'	L11	N76°18'45"W	36.21'
L3	S79°42'36"E	171.11'	L12	S18°29'58"W	6.68'
L4	S77°31'16"E	148.19'	L13	N84°34'48"W	27.88'
L5	S18°29'13"W	56.33'	L14	S89°39'52"W	75.07'
L6	S77°28'37"E	302.89'	L15	S85°11'33"W	64.20'
L7	N48°15'01"W	117.41'	L16	N12°07'43"W	49.36'
L8	N18°29'58"E	13.30'	L17	S89°48'13"W	126.53'
L9	N71°30'02"W	30.00'			

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
C1	296.84'	Δ=29°18'54"	151.87'
C2	450.00'	Δ=34°26'13"	270.47'
C3	300.00'	Δ=69°39'36"	364.74'
C4	480.00'	Δ=47°46'02"	400.17'
C5	575.00'	Δ=18°11'51"	182.62'
C6	350.00'	Δ=54°22'16"	332.13'
C7	312.72'	Δ=02°33'21"	13.95'
C8	843.56'	Δ=05°45'20"	84.74'
C9	276.84'	Δ=03°42'17"	17.90'

NOTE

BEYOND ENGINEERING
 1000 WINTERS PARK DRIVE, 4TH FLOOR, SACRAMENTO, CA 95811
 REGISTERED PROFESSIONAL ENGINEER

DATE: _____ TIME: _____
 NETWORK: _____
 PATH: _____
 DWG NAME: _____
 PLOT VIEW: _____
 DESIGNER: _____ MGR: _____

EXHIBIT 'B'
IOD FOR PARK PURPOSES LOT B
 CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA
 PREPARED FOR: CITY OF SACRAMENTO
 DATE SUBMITTED: OCTOBER 2012

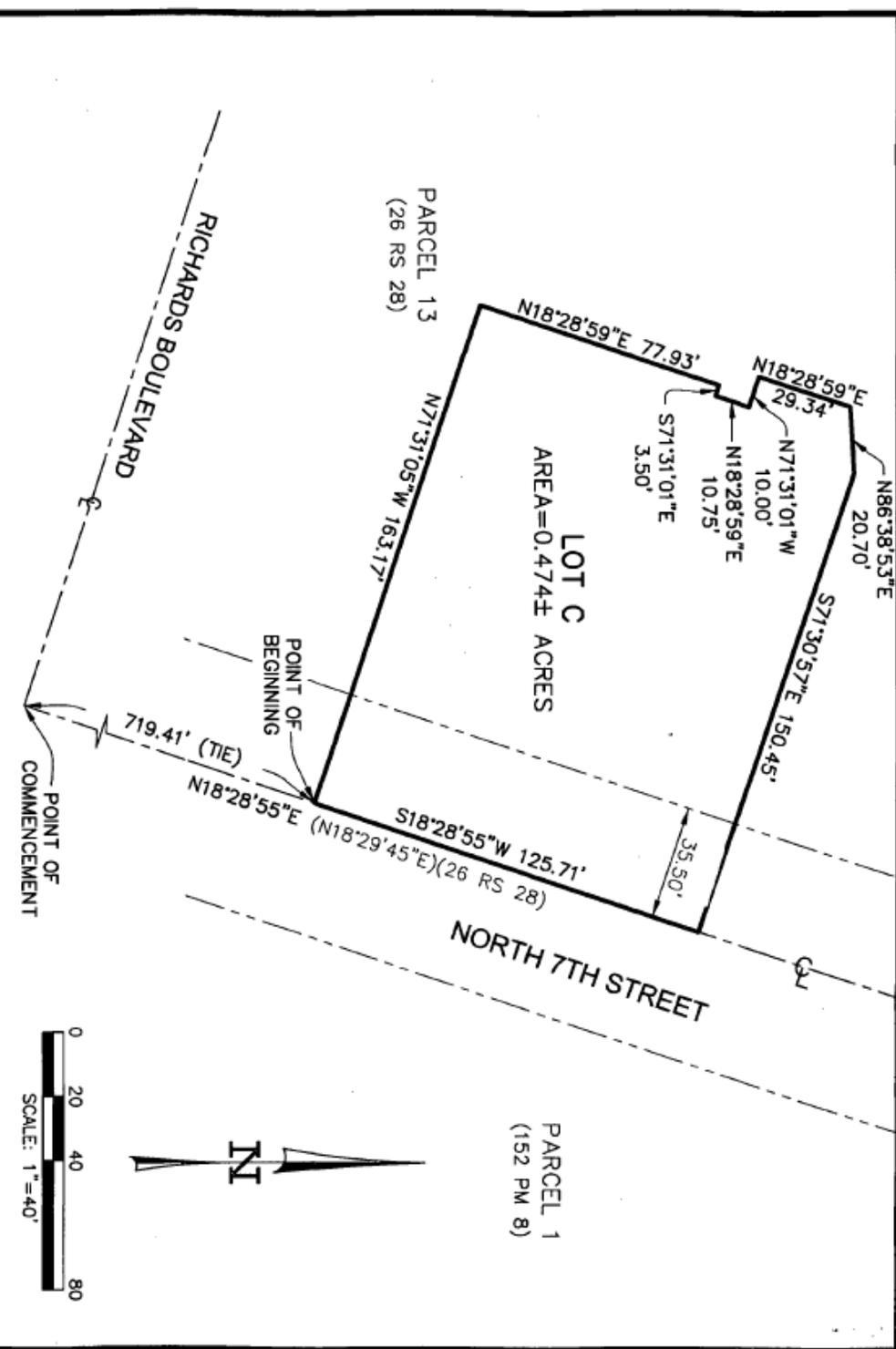
SHEET NUMBER
2
 OF 3 SHEETS
 JOB NUMBER
 SA07811

NOTE
 BEYOND ENGINEERING
 SANITARIAN ENGINEERING
 1500 UNIVERSITY AVENUE, SUITE 100
 SACRAMENTO, CA 95811
 (916) 441-1111

DATE: _____ TIME: _____
 NETWORK: _____
 PATH: _____
 DWG NAME: _____
 PLOT VIEW: _____
 DESIGNER: _____
 WR: _____

EXHIBIT 'B'
IOD FOR PARK PURPOSES LOT C
 CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA
 PREPARED FOR: CITY OF SACRAMENTO
 DATE SUBMITTED: OCTOBER 2012

SHEET NUMBER
3
 OF 3 SHEETS
 JOB NUMBER
 SA01911



RESOLUTION NO.

Adopted by the Sacramento City Council

SUMMARY VACATION OF THE IRREVOCABLE OFFER OF DEDICATION FOR PARKS AT TOWNSHIP 9, WITHIN COUNCIL DISTRICT 3 VACATION PROCEEDING NO. VAC 15-0003

BACKGROUND

- A. Township 9, has requested the vacation of the recorded Irrevocable Offer of Dedication for Lots A, B and C as part of a request to correct the encroached area of Lot C known as Cannery Plaza.
- B. The City of Sacramento’s Planning Director reviewed this vacation proceeding pursuant to Sacramento City Code 2.112.080 and State of California Government Code Section 65402 and concluded that this vacation is consistent with the City of Sacramento’s General Plan.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The Irrevocable of Offer of Dedication (IOD) consisting of 3 parcels shown as lots A, B and C within the Township 9 development within Council District 3, more specifically described in Exhibit A of this Resolution is vacated.
- Section 2. The vacation of the 3 parcels for park purposes as described in the recorded IOD within Council District 3, more specifically described in Exhibits A and B, is made pursuant to State of California Miscellaneous Code, Title 1 General Division 7, Chapter 12.7. Pursuant to California Government Miscellaneous Code Section 7050.
- Section 3. The City Council finds that the said vacation (abandonment) has been submitted to and reported on by the City of Sacramento’s Planning Director and finds that the said vacation is consistent with the City of Sacramento’s General Plan.
- Section 4. Once this Resolution has been approved, the City Clerk shall cause a certified copy of this Resolution, attested by the City Clerk under seal; to be recorded after all conditions and fees have been satisfied. The vacation shall be effective when the City Clerk records this Resolution with the County Recorder.
- Section 5. Exhibit A is incorporated into and made part of this resolution.

RECORDED FOR THE BENEFIT OF
THE CITY OF SACRAMENTO
GOV. CODE 6103

WHEN RECORDED RETURN TO:
CITY OF SACRAMENTO
ATTN: JERRY LOVATO
Department of Transportation
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811



Sacramento County Recorder
 Craig A. Kramer, Clerk/Recorder
 BOOK 20121030 PAGE 0522
 Tuesday, OCT 30, 2012 10:31:14 AM
 Ttl Pd \$0.00 Rcpt # 0007511164
 DHB/58/1-9

APN: 001-0020-003,034,036,041,044, 045,046,052, 001-0200-012,034

DOCUMENTARY TRANSFER TAX NOT REQUIRED:
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**IRREVOCABLE OFFER OF DEDICATION
FEE TITLE**

THE UNDERSIGNED HEREBY CERTIFIES THAT I /WE /AM /ARE THE LEGAL OWNERS OF, OR ARE PARTIES HAVING AN INTEREST IN THE HEREINAFTER DESCRIBED REAL PROPERTY, AND THE UNDERSIGNED, FOR THEMSELVES, THEIR HEIRS, SUCCESSORS, AND ASSIGNS, DO HEREBY IRREVOCABLY OFFER TO DEDICATE TO THE CITY OF SACRAMENTO, A MUNICIPAL CORPORATION. THE REAL PROPERTY BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES AND LOCATED IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS TO-WIT:

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THE DEDICATION OFFERED HEREUNDER SHALL BE COMPLETE UPON ITS WRITTEN ACCEPTANCE BY THE CITY MANAGER'S DESIGNEE OF THE CITY OF SACRAMENTO.

OWNER'S NAME (PRINT) Capitol Station 65, LLC.

Scott SYPHAX, CEO

By: [Signature]
Title: CEO

By: _____
Title: _____

[ATTACH NOTARY ACKNOWLEDGEMENT]

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
 County of Sacramento }
 On Oct. 4, 2012 before me, Mary L. Ackman, Notary Public
Date Here Insert Name and Title of the Officer
 personally appeared Scott Syphax
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature Mary L. Ackman
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Irrevocable Offer of Dedication
 Document Date: Oct. 4, 2012 Number of Pages: 8
 Signer(s) Other Than Named Above: None

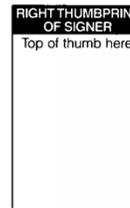
Capacity(ies) Claimed by Signer(s)

- Signer's Name: _____
- Individual
 - Corporate Officer — Title(s): _____
 - Partner — Limited General
 - Attorney in Fact
 - Trustee
 - Guardian or Conservator
 - Other: _____



Signer Is Representing: _____

- Signer's Name: _____
- Individual
 - Corporate Officer — Title(s): _____
 - Partner — Limited General
 - Attorney in Fact
 - Trustee
 - Guardian or Conservator
 - Other: _____



Signer Is Representing: _____

Exhibit "A"
Legal Description
IOD for Park Purposes

Lot A

All that portion of Parcels 9 and 12 as said Parcels are shown on that certain Record of Survey filed October 30, 1968 in Book 26 of Surveys, Page 28, Official Records of the County of Sacramento, State of California, and described as follows:

Beginning at the most northwesterly corner of said Parcel 9;

Thence along the northerly and easterly lines of said Parcel 9, North 89°16'13" East, 577.57 feet;

Thence South 84°50'47" East, 299.09 feet;

Thence South 18°29'13" West, 71.70 feet to the most northwesterly corner of said Parcel 12;

Thence along the northerly and easterly lines of said Parcel 12 South 87°17'39" East, 727.42 feet;

Thence South 18°29'13" West, 309.92 feet;

Thence leaving said easterly line North 77°31'16" West, 148.19 feet;

Thence North 79°42'36" West, 171.11 feet;

Thence North 82°07'43" West, 389.55 feet;

Thence North 84°48'19" West, 460.53 feet;

Thence North 89°30'35" West, 408.59 feet to a point on the westerly line of said Parcel 9;

Thence along said westerly line North 18°29'13" East, 268.51 feet to the **Point of Beginning**.

Said Parcel contains 9.634± Acres, more or less.

Lot B

All that portion of Parcels 9, 10, 12, 13, 15 and a portion of those lands designated as 'Southern Pacific Company' as said Parcels are shown on that certain Record of Survey filed October 30, 1968 in Book 26 of Surveys, Page 28, together with a portion of Parcel 2 of the certain Quitclaim Deed Recorded in Book 20060125 Page 1897, Official Records of the County of Sacramento, State of California, and described as follows:

Beginning at the most southwesterly corner of said Parcel 9;

Thence along the westerly line of said Parcel 9, North 18°29'13" East, 84.76 feet;

Thence leaving said westerly line South 89°30'35" East, 408.59 feet;

Thence South 84°48'19" East, 460.53 feet;

Thence South 82°07'43" East, 389.55 feet;

Thence South 79°42'36" East, 171.11 feet;

Thence South 77°31'16" East, 148.19 feet to a point on the easterly line of said Parcel 12;

Thence along said easterly line South 18°29'13" West, 56.33 feet to a point on the northerly line of said Parcel 2;

Thence along said northerly line South 77°28'37" East, 302.89 feet;

Thence along the arc of a tangent curve, concave southerly, having a radius of 296.84 feet, through a central angle of 29°18'54", for a distance of 151.87 feet to a point of cusp;

Thence leaving said northerly line along the arc of a non-tangent curve, concave southerly, having a radius of 450.00 feet, from a radial that bears North 06°31'37" East, through a central angle of 34°26'13", for a distance of 270.47 feet;

Thence along the arc of a reverse curve, concave northerly, having a radius of 300.00 feet, through a central angle of 69°39'36", for a distance of 364.74 feet;

Thence North 48°15'01" West, 117.41 feet;

Thence along the arc of a tangent curve, concave southerly, having a radius of 480.00 feet, through a central angle of 47°46'02", for a distance of 400.17 feet;

Thence along the arc of a reverse curve, concave northerly, having a radius of 575.00 feet, through a central angle of 18°11'51", for a distance of 182.62 feet;

Thence along the arc of a reverse curve, concave southerly, having a radius of 350.00 feet, through a central angle of 54°22'16", for a distance of 332.13 feet;

Thence along said Westerly line North 18°29'58" East, 13.30 feet to a point on the South line of Said Parcel 2;

Thence along the Southerly line of said Parcel 2 North 71°30'02" West, 30.00 feet;

Thence North 18°29'58" East, 83.37 feet;

Thence along the arc of a non-tangent curve, concave southerly, having a radius of 312.72 feet from a radial that bears North 16°12'30" East, through a central angle of 02°33'21", for a distance of 13.95 feet;

Thence North 76°18'45" West, 36.21 feet;

Thence South 18°29'58" West, 6.68 feet;

Thence North 84°34'48" West, 27.88 feet;

Thence along a tangent curve concave southerly having a radius of 843.56 feet, through a central angle of 05°45'20", for a distance of 84.74 feet;

Thence South 89°39'52" West, 75.07 feet;

Thence South 85°11'33" West, 64.20 feet;

Thence along the arc of a non-tangent curve concave southerly having a radius of 276.84 feet from a radial that bears North 08°30'24" West, through a central angle of 03°42'17", for a distance of 17.90 feet;

Thence non-tangent to said curve North 12°07'43" West, 49.36 feet to the most northwesterly corner of said Parcel 2 and a point on the southerly line of said Parcel 9;

Thence along said southerly line South 89°48'13" West, 126.53 feet to the **Point of Beginning**.

Said Parcel contains 6.249± Acres, more or less.

Lot C

All that portion of Parcel 13 as said Parcel is shown on that certain Record of Survey filed October 30, 1968 in Book 26 of Surveys, Page 28, Official Records of the County of Sacramento, State of California, and described as follows:

Commencing at the intersection of the centerline of Richards Boulevard and North 7th Street as said intersection is shown on said Record of Survey;

Thence along said centerline of said North 7th Street, North 18°28'55" East, 719.41 feet to the **Point of Beginning**;

Thence from said **Point of Beginning** North 71°31'05" West, 163.17 feet;

Thence North 18°28'59" East, 77.93 feet;

Thence South 71°31'01" East, 3.50 feet;

Thence North 18°28'59" East, 10.75 feet;

Thence North 71°31'01" West, 10.00 feet;

Thence North 18°28'59" East, 29.34 feet;

Thence North 86°38'53" East, 20.70 feet;

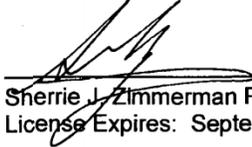
Thence South 71°30'57" East, 150.45 feet to a point on the centerline of said North 7th Street;

Thence along said centerline of North 7th Street, South 18°28'55" West, 125.71 feet to the **Point of Beginning**.

Said Parcel contains 0.474± Acres, more or less.

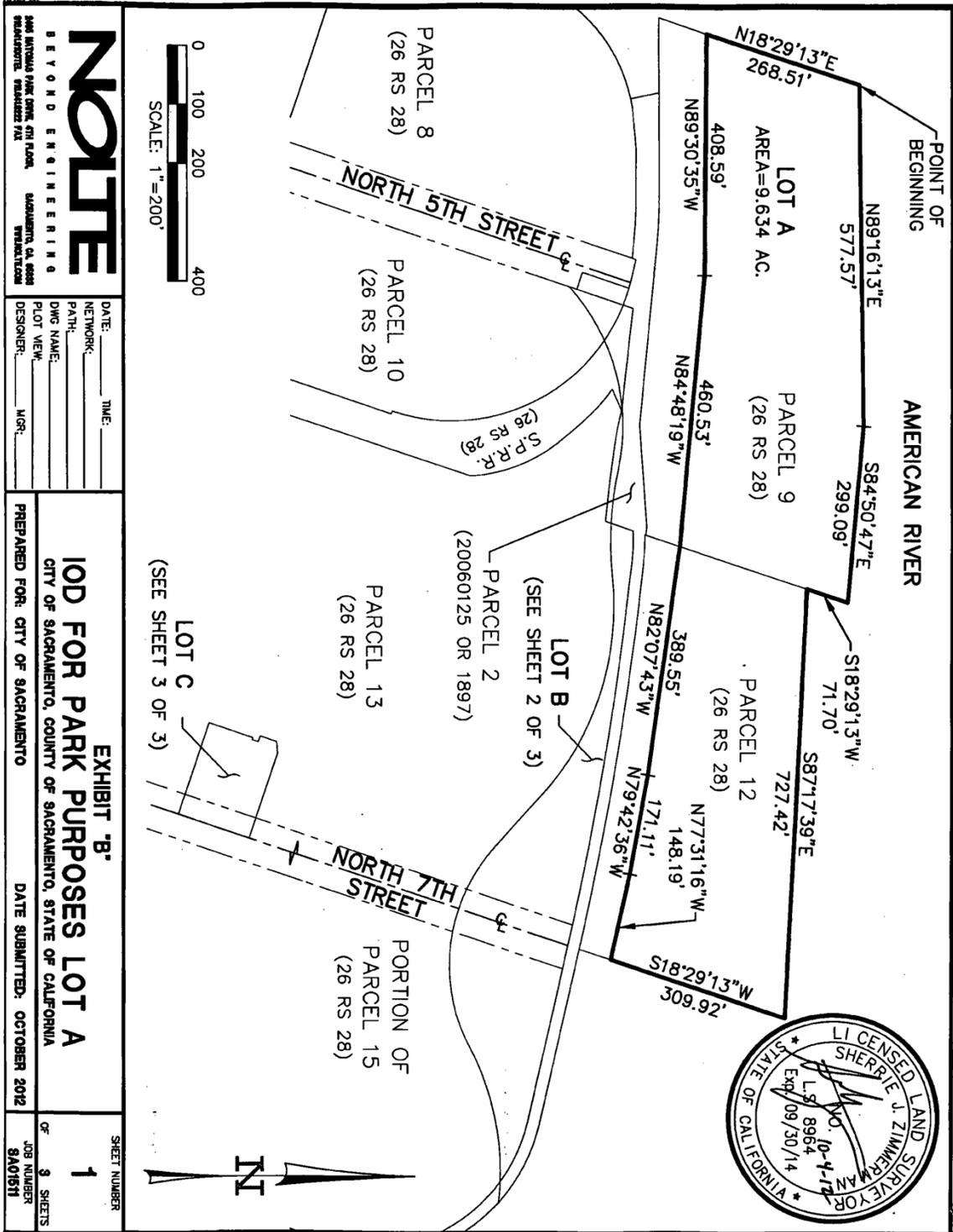
The Basis of Bearing of this Survey is identical with that of the centerline of Richards Boulevard, as shown on the Record of Survey recorded in Book 58 of Surveys, Page 4. The bearing is given as North 71°44'05" West.

See Exhibit "B", plat to accompany description, attached hereto and made a part hereof.



Sherrie J. Zimmerman PLS 8964 10-4-12 Date
License Expires: September 30, 2014





NOTE

BEYOND ENGINEERING

DATE: _____ TIME: _____

NETWORK: _____

PATH: _____

DWG NAME: _____

PLOT VIEW: _____

DESIGNER: _____ MGR: _____

EXHIBIT 'B'

IOD FOR PARK PURPOSES LOT A

CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

PREPARED FOR: CITY OF SACRAMENTO

DATE SUBMITTED: OCTOBER 2012

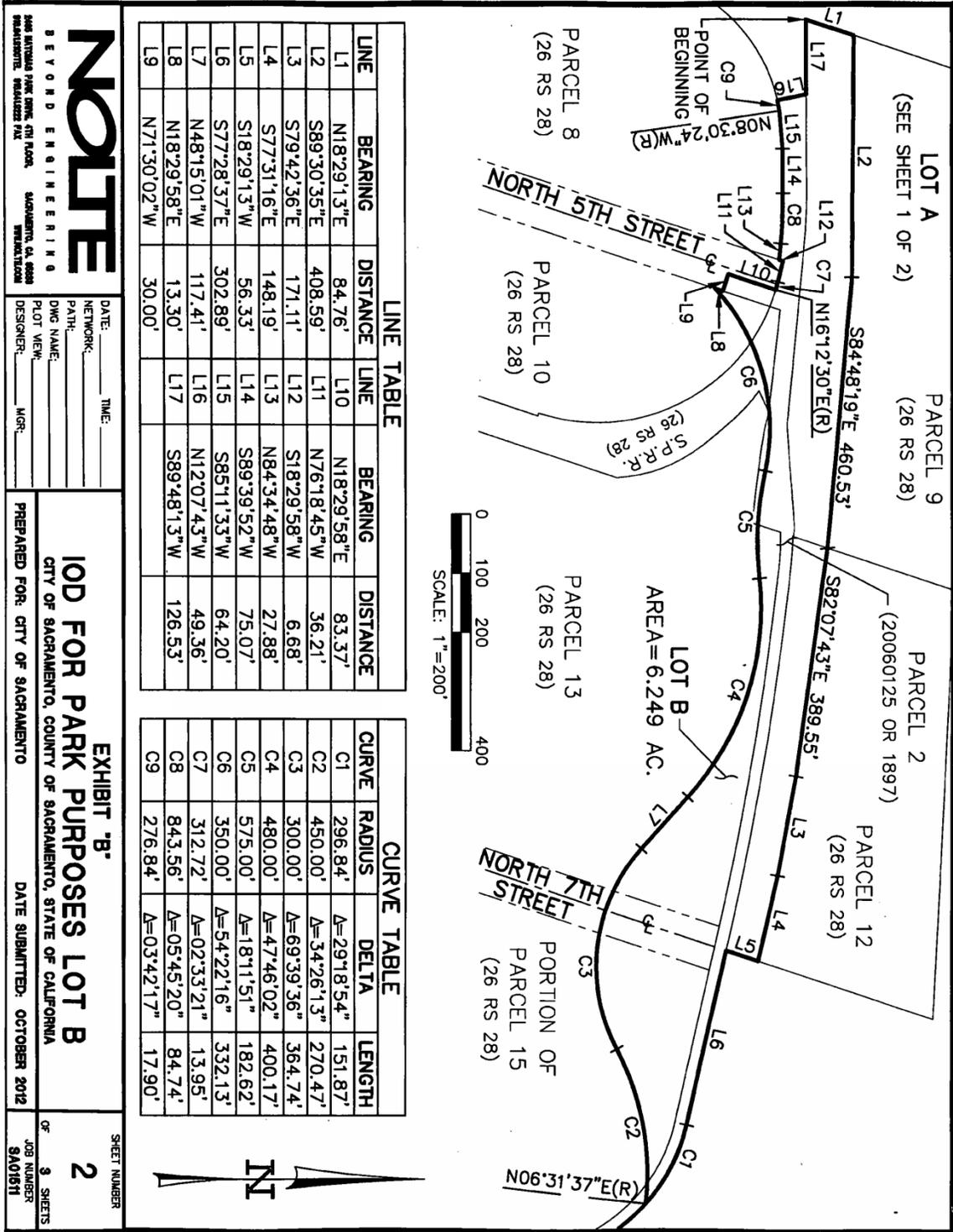
SHEET NUMBER

1

OF 3 SHEETS

JOB NUMBER

8A0751



LINE TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N18°29'13"E	84.76'	L10	N18°29'58"E	83.37'
L2	S89°30'35"E	408.59'	L11	N76°18'45"W	36.21'
L3	S79°42'36"E	171.11'	L12	S18°29'58"W	6.68'
L4	S77°31'16"E	148.19'	L13	N84°34'48"W	27.88'
L5	S18°29'13"W	56.33'	L14	S89°39'52"W	75.07'
L6	S77°28'37"E	302.89'	L15	S85°11'33"W	64.20'
L7	N48°15'01"W	117.41'	L16	N12°07'43"W	49.36'
L8	N18°29'58"E	13.30'	L17	S89°48'13"W	126.53'
L9	N71°30'02"W	30.00'			

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
C1	296.84'	Δ=29°18'54"	151.87'
C2	450.00'	Δ=34°26'13"	270.47'
C3	300.00'	Δ=69°39'36"	364.74'
C4	480.00'	Δ=47°46'02"	400.17'
C5	575.00'	Δ=18°11'51"	182.62'
C6	350.00'	Δ=54°22'16"	332.13'
C7	312.72'	Δ=02°33'21"	13.95'
C8	843.56'	Δ=05°45'20"	84.74'
C9	276.84'	Δ=03°42'17"	17.90'

NOTE

BEYOND ENGINEERING
 1000 WINTHROP PARK DRIVE, 9TH FLOOR SACRAMENTO, CA 95811
 916.441.1111
 WWW.BEYONDENGINEERING.COM

DATE: _____ TIME: _____
 NETWORK: _____
 PATH: _____
 DWG NAME: _____
 PLOT VIEW: _____
 DESIGNER: _____ MGR: _____

EXHIBIT 'B'.
IOD FOR PARK PURPOSES LOT B
 CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA
 PREPARED FOR: CITY OF SACRAMENTO DATE SUBMITTED: OCTOBER 2012

SHEET NUMBER
2
 OF 3 SHEETS
 JOB NUMBER
 SA01611

