

RESOLUTION # 05-001

SADDLE CREEK COMMUNITY SERVICES DISTRICT  
A RESOLUTION OF THE BOARD OF DIRECTORS OF  
SADDLE CREEK COMMUNITY SERVICES DISTRICT  
ABANDONING A PORTION OF AN EASEMENT FOR  
STORM DRAINAGE, OPEN SPACE-WILDLIFE HABITAT  
WITHIN LOT 250 OF SADDLE CREEK UNIT 3-A-1

RECITALS

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 certain easements for storm drainage and open space-wildlife habitat purposes to the District by separate instrument, recorded on November 13, 2001 as Document Number 2001 20224 in the Official Book of Records of Calaveras County; and

WHEREAS, the Developer has determined and the District concurs, that a certain portion of the easement, located within Lot 250 of Saddle Creek Unit 3A-1 and more particularly described and delineated in attached Exhibits “A” and “B”, is not necessary for the purpose for which it was created; and

WHEREAS, the District finds that it is in the public interest to terminate this portion of the easement interest in favor of its use for the benefit of the owner of said lot; and

WHEREAS, the Board of Directors finds:

1. The foregoing recitals are true and correct,
2. The purpose for which this certain portion of the easement was created no longer serves the public interest, and that the easement area described and delineated in Exhibits “A” and “B” attached hereto, is not needed for storm drainage or open space-wildlife habitat purpose or for any other public purpose, and
3. There is no foreseeable public interest served by retaining the easement interest.

NOW THEREFORE BE IT RESOLVED, that the easement area located within Lot 250 of Saddle Creek Unit 3A-1 and more particularly described and delineated in attached Exhibits “A” and “B” is hereby abandoned and that the Board of Directors hereby authorizes the Board President to execute the Quitclaim Documents attached hereto.

THE FORGOING RESOLUTION was introduced at a regular meeting of the Saddle Creek Community Services District held on February 13, 2005, by Board Member \_\_\_\_\_, who moved its adoption, which was duly seconded by Board Member \_\_\_\_\_ and the Resolution was adopted by the following vote:

AYES \_\_\_\_\_  
NOES \_\_\_\_\_  
ABSTAIN \_\_\_\_\_  
ABSENT \_\_\_\_\_

\_\_\_\_\_  
Board President, Dennis Merrill

-SEAL-

\_\_\_\_\_  
CSD Clerk, Sue Russ