

REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
11	04/12/10	Open	Action	03/30/10

Subject: Resolution of Necessity to Acquire Certain Real Property or Interest in Real Property by Eminent Domain for the Sacramento Regional Transit District's South Sacramento Corridor Phase 2 (SSCP2) Light Rail Extension Project- IJAZ Corporation Property

ISSUE

Whether to adopt a Resolution of Necessity for the acquisition of certain real property for the Sacramento Regional Transit District's South Sacramento Corridor Phase 2 Light Rail Extension Project ("Project"). (See Attachment A)

Adoption of a Resolution of Necessity is a prerequisite to the acquisition of property by eminent domain. State law requires RT to hold a public hearing regarding the intent to adopt a Resolution of Necessity. The purpose of the public hearing is to hear testimony on the proposed Resolution of Necessity, to consider any relevant evidence, and to make findings about the following four issues set forth in the Eminent Domain Law:

1. The public interest and necessity require the Project;
2. The Project is planned or located in a manner that would be most compatible with the greatest public good and the least private injury;
3. The property to be acquired is necessary for the Project and;
4. The owners of record have received an offer for the fair market value of the property pursuant to Government Code Section 7267.2.

RECOMMENDED ACTION

Adopt Resolution No. 10-04 - _____, Resolution of Necessity to Acquire Certain Real Property Interests by Eminent Domain for the South Sacramento Corridor Phase 2 Light Rail Extension Project - IJAZ Property.

FISCAL IMPACT

Budgeted:	Yes	This FY:	\$470,000
Budget Source:	Capital	Next FY:	\$
Funding Source:	Measure A	Annualized:	\$
Cost Cntr/GL Acct(s) or	910800	Total Amount:	\$470,000
Capital Project #:	WBS #410.05.08.01.01.03		
Total Budget:	\$ 470,000		

Approved:


General Manager/CEO

Presented:


Director of Real Estate

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DISCUSSION

The Project will extend service on RT's light rail system by installing approximately four miles of new track from Meadowview Road to Cosumnes River College and constructing four new stations beyond Meadowview, including Morrison Creek, Franklin Boulevard, Center Parkway, and Cosumnes River College. Additional improvements necessary for the Project include two flyover structures, four Traction Power Substation sites, tail tracks, and a parking structure.

1. The Public Interest And Necessity Require The Project.

The Board has endorsed and approved the development of the Project as a part of the region's overall transportation network through numerous Board actions, including the certification of relevant environmental documents identifying the need for the project, as well as approval of the acquisition of various property interests along the planned alignment. In addition, other local, regional, and federal agencies (including SACOG, STA, and FTA) have taken action regarding the Project, which further substantiate the public interest and necessity for its construction.

The Project goals are aligned with the public interest in accommodating the growing need for public transit and improved mobility in the region. The Project will improve and expand public transit service in the southern region of the City and County of Sacramento, enhance regional connectivity, and accommodate future travel demands through increased, interconnected rapid transit options. The Project will alleviate traffic congestion on area highways and roads; improve regional air quality by reducing auto emissions; improve mobility for corridor residents, in particular low income, youth, elderly, disabled and ethnic minority populations, to employment, education, and medical centers; and support local economic, land use, and transportation plans and goals for the Region.

2. The Project As Planned Is Most Compatible With The Greatest Public Good And The Least Private Injury.

The proposed alignment for the Project requires RT to acquire existing rail corridor property, two full residential properties, and portions of residential properties, unimproved property, buffer lands, and other public lands. The current alignment was designed and approved because it provides for the most direct connection from the current light rail terminus to the desired terminus at Cosumnes River College campus with the least disruption to surrounding areas. Further, there is a substantial concentration of potential riders in the vicinity, whose use of the Project should relieve congestion on nearby highways and arterial surface streets. An Addendum and Re-evaluation on the SSCP2 was performed, reflecting the change from a partial take of the IJAZ property to a full take. The Addendum was certified by the RT Board on December 4, 2009. As set forth in related environmental analyses and reports, including the Addendum, the environmental impacts of the Project's current alignment may be mitigated. Fully taking the IJAZ property did not result in any new or additional environmental impacts.

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The Project will provide a cost-effective means to provide light rail service such that provides the greatest public benefit as compared to various other options initially considered. Similarly, by positioning the Project's current alignment along an existing rail corridor and by limiting residential property takes as much as possible, the Project minimizes private injury.

3. The Specific Property To Be Acquired Is Necessary For The Project.

The real property that the District must acquire is a 1.48+/- acres of vacant land. The property does not have any permanent surface improvements. The subject property is located at the northeast corner on Cosumnes River Boulevard at Franklin Boulevard, in the City of Sacramento, Sacramento County, California and is further identified by Assessor Parcel Number 117-0131-021 ("Property") (see Attachment B.) The Property is owned by IJAZ Corporation.

The IJAZ Property is necessary for the Project in order to build a portion of the light rail tracks, an instrument house to control the gates and flasher at the Franklin Boulevard crossing and a traction power substation (S-10) to provide electrical power to operate RT trains. The location of the light rail tracks are constrained by the future widening of Cosumnes River Boulevard and cannot be aligned any further south without impacting future traffic operations.

The traction power substation (S-10) is precisely located at the IJAZ property to provide operational efficiency of the light rail system. As identified in the Traction Power Simulation and Load Flow Report prepared by LTK Engineering Services, any other location than the IJAZ property will impact light rail operations. Traction power substations are spaced at a calculated distance to allow for power redundancy. This spacing will allow trains to operate without stalling due to a voltage drop and allows for an adjacent substation to be offline.

4. The Owners Of Record Have Received Offers For The Fair Market Value Of The Property Pursuant To Government Code Section 7267.2.

On January 25, 2010, the District made a formal offer to the owner of record in the amount of its approved appraisal to purchase the Property pursuant to Government Code section 7267.2 (see Attachment C). Negotiations with the owner have not been successful and are at an impasse.

If the Board makes these findings and adopts the Resolution of Necessity, the District has six months within which to commence court action in Eminent Domain. Staff recommends that the Board adopt the accompanying Resolution of Necessity, which must be adopted with a two-thirds affirmative vote.

REGIONAL TRANSIT ISSUE PAPER

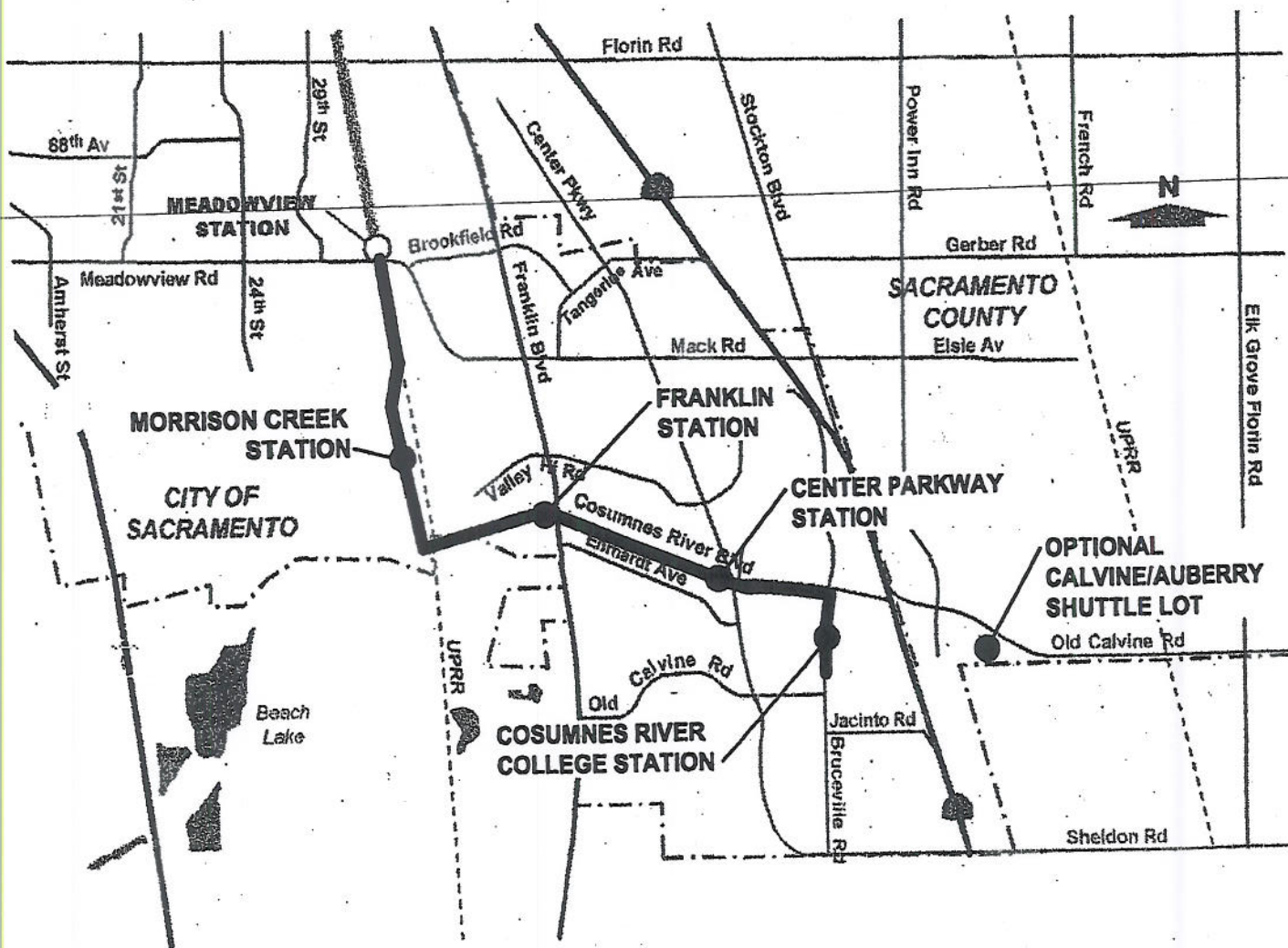
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Attachments:

- A. Map depicting projection location
- B. Photo showing real property proposed for acquisition
- C. January 25, 2010 Purchase Offer, labeled as Attachment C.
- D. Notices of Intent to Adopt Resolution, labeled as D.1 and D.2

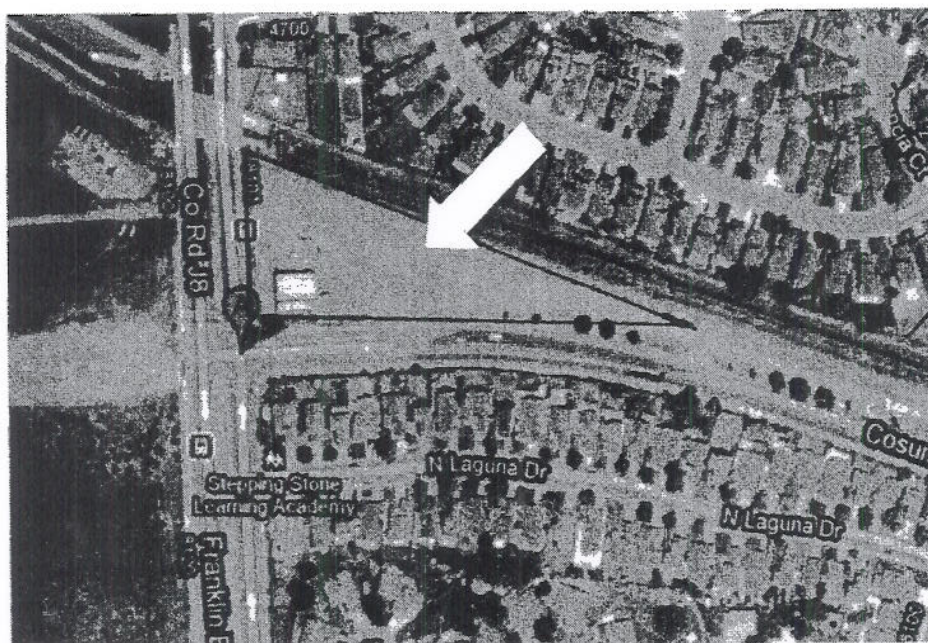
Attachment A



LOCATION MAP

Attachment B

IJAZ





Attachment C

Regional Transit

January 25, 2010

**Sacramento Regional
Transit District**
A Public Transit Agency
and Equal Opportunity Employer

Mailing Address:
P.O. Box 2110
Sacramento, CA 95812-2110

Administrative Office:
1400 29th Street
Sacramento, CA 95816
(916) 321-2800
(29th St. Light Rail Station/
Bus 36,38,50E,67,68)

Light Rail Office:
2700 Academy Way
Sacramento, CA 95815
(916) 648-8400

**Human Resources Office:
Employee Relations Office:**
2830 G Street, 2nd Floor
Sacramento, CA 95816
(916) 321-3800
(Bus 30,31,34,67,68)

Public Transit Since 1973

www.sacrt.com

Nadeem Ijaz
IJAZ Corporation
8655 Brahma Way
Elk Grove, CA 95624-9403

RE: South Sacramento Corridor
APN: 117-0131-021

Dear Mr. Ijaz:

Sacramento Regional Transit District ("RT") is expanding its light rail transit system with the design and construction of the South Sacramento Corridor Project Phase 2 (the "Project"). RT has determined that your property, referenced above, is needed to complete the Project.

This letter, the enclosed Informational Pamphlet, Appraisal Summary Statement and Supporting Appraisal Report, and Purchase and Sale Agreement, represent RT's offer to purchase your property for \$470,000. This amount is a lump sum representing the total value of the required property interests. Please note that to the extent there are liens, assessments, or other interests recorded against the property, agreement must be reached with the individuals or entities holding such interests to satisfy them before funds can be released to you.

As you can see from the enclosed appraisal, RT is offering to purchase your property for the fair market value as determined by a private appraiser hired by RT. This value includes compensation for the interest in your property that RT wishes to purchase.

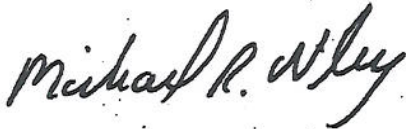
You may choose to have your own appraisal done, and if you do so, you will be eligible to receive reimbursement from RT of up to \$5,000 for reasonable costs of an independent appraisal (Pursuant to California Civil Code of Procedure §1263.025(a)). To receive reimbursement, you must hire an appraiser licensed by California's Office of Real Estate Appraisers.

January 25, 2010

This offer will remain valid until revoked in writing by RT. If you wish to accept this offer, just sign the enclosed Purchase and Sale Agreement and return it to RT.

RT welcomes your questions and comments regarding any aspect of this transaction. You may contact Fred Arnold, Director of Real Estate, at (916) 556-0307 to further discuss. We look forward to working cooperatively with you on this transaction.

Sincerely,



Michael R. Wiley
General Manger/CEO

Enclosures: Informational Pamphlet
Appraisal Summary Statement
Appraiser's Report
Purchase and Sale Agreement
Preliminary Title Report

c: Bruce Behrens, Chief Legal Counsel
RoseMary Covington, AGM of Planning & TSD
Diane Nakano, AGM of Engineering & Construction
Fred Arnold, Director of Real Estate
Ed Scofield, Deputy Project Manager
Ned Harris, Project Manager
Gordon McDaniel, Real Estate Administrator

Attachment D-1

SACRAMENTO REGIONAL TRANSIT DISTRICT

NOTICE OF HEARING AND RIGHT TO APPEAR

NOTICE OF INTENT TO ADOPT RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN

(Code of Civil Procedure, Section 1245.210 et seq. and Section 1245.235)

TO: IJAZ CORPORATION

Please take notice that at its April 12, 2010 meeting, the Sacramento Regional Transit District (Regional Transit) Board of Directors will hold a hearing to consider the acquisition by eminent domain of the property located in Sacramento County and known as the premises located at Sacramento, California (Assessor's Parcel Number 117-0313-021) as more fully described in attached Exhibit "A", which is incorporated herein by this reference.

The hearing will be held at 6:00 p.m. in Room 114 of the Regional Transit Administrative Headquarters, located at 1400 29th Street, Sacramento, California,

At the meeting, it is the Regional Transit Board of Directors' intent to consider and adopt a Resolution to establish that:

- (a) The public interest and necessity require the South Sacramento Corridor Phase 2 Light Rail Extension Project; and
- (b) The South Sacramento Corridor Phase 2 Light Rail Extension Project is planned and will be located in a manner that will be most compatible with the greatest public good and the least private injury;
- (c) The property being acquired is necessary for the South Sacramento Corridor Phase 2 Light Rail Extension Project; and
- (d) The offer required by Section 7267.2 of the Government Code has been made to the owners of record.

You have a right to be heard regarding the proposed findings set forth in (a), (b), (c), and (d) above. If you file a written request to appear, you are entitled to appear and object to the adoption of the Resolution. Objections are limited to the four findings listed above. All requests to appear must be sent for filing to Bruce A. Behrens, Chief Legal Counsel, P.O. Box 2110, Sacramento, CA 95812-2110. **Pursuant to Code of Civil Procedure Section 1245.235 (b)(3), your written request must be received on or before 5:00 p.m., April 9, 2010, which is at least 15 days after this Notice was mailed.** Failure to file a written request will result in a waiver of your right to appear and be heard.

For your convenience, the Board will consider any written comments you may wish to submit, so long as such comments are filed with the Sacramento Regional Transit District on or before the filing date hereinabove specified.

This notice is given pursuant to the provisions of Sections 1245.210 et seq. and 1245.235 of the California Code of Civil Procedure.

DECLARATION OF SERVICE BY MAIL

RE: NOTICE OF INTENT TO ADOPT RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN (Code of Civil Procedure Section 1245.235)

Nadeem Ijaz
Ijaz Corporation
8655 Brohma Way
Elk Grove, CA 95624

I am a citizen of the United States and a resident of Sacramento County, California. I am over the age of eighteen years and not a party to the above-entitled matter. My business address is 1400 29th Street, Sacramento CA 95816. On this date I served the foregoing document, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Post Office mail box at Sacramento, California, and also by FedEx addressed in the manner set forth immediately above this declaration.

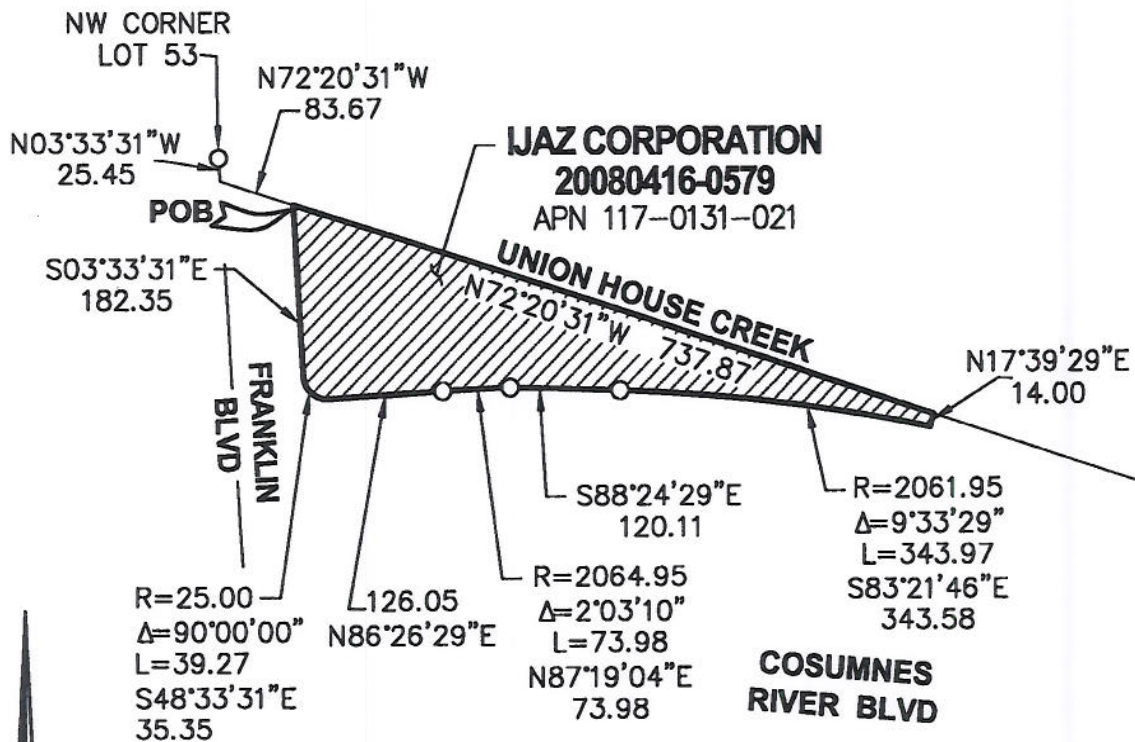
I declare under penalty of perjury that the foregoing is true and correct.

DATED at Sacramento, California on March 23, 2010:

By: Kathleen J. Lonergan
Kathleen J. Lonergan



IJAZ CORPORATION
20080416-0579, ORSC
A PORTION OF SECTIONS 17, T 7 N, R 5 E, MDM
CITY OF SACRAMENTO, SACRAMENTO COUNTY, CALIFORNIA
SCALE: 1"=200' MAY 22, 2009



LEGEND

 **AREA: 01.480±AC**

ANDREGG GEOMATICS
 www.andregg.com
 800-400-7072



Regional Transit

ANDREGG GEOMATICS

11661 BLOCKER DRIVE, SUITE 200, AUBURN, CA 95603

SOUTH SACRAMENTO CORRIDOR PROJECT - PHASE 2

APN 117-0131-021

SRTD PARCEL S63.02

Attachment D-2

SACRAMENTO REGIONAL TRANSIT DISTRICT

NOTICE OF HEARING AND RIGHT TO APPEAR

NOTICE OF INTENT TO ADOPT RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN

(Code of Civil Procedure, Section 1245.210 et seq. and Section 1245.235)

TO: Owners of Interest for IJAZ CORPORATION Property (see attached Declaration)

Please take notice that at its April 12, 2010 meeting, the Sacramento Regional Transit District (Regional Transit) Board of Directors will hold a hearing to consider the acquisition by eminent domain of the property located in Sacramento County and known as the premises located at Sacramento, California (Assessor's Parcel Number 117-0313-021) as more fully described in attached Exhibit "A", which is incorporated herein by this reference.

The hearing will be held at 6:00 p.m. in Room 114 of the Regional Transit Administrative Headquarters, located at 1400 29th Street, Sacramento, California,

At the meeting, it is the Regional Transit Board of Directors' intent to consider and adopt a Resolution to establish that:

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DECLARATION OF SERVICE BY MAIL

RE: NOTICE OF INTENT TO ADOPT RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN (Code of Civil Procedure Section 1245.235)

Treasure Tax Collector Attn: Jenine Windeshausen 2976 Richardson Drive, 2 nd Fl Auburn, CA 95603	Sacramento Municipal Utility District P.O. Box 15830 Sacramento CA 95852-1830
Sacramento County Consolidated Billing and Service 9700 Goeth Road Suite C Sacramento CA 95824	NNH Enterprise 2055 Fox Way, Suite 31 Concord CA 94518
City of Sacramento Real Estate Division Rm 207 City Hall 915 I Street Sacramento CA 95814	Sacramento Area Flood Control Agency 1007 7 th Street 5 th Floor Sacramento CA 95814
Sacramento Regional County Sanitation District Real Estate Division/Mail Code 06-001 County of Sacramento 1007 7 th Street 7 th Floor Sacramento CA 95814	

I am a citizen of the United States and a resident of Sacramento County, California. I am over the age of eighteen years and not a party to the above-entitled matter. My business address is 1400 29th Street, Sacramento CA 95816. On this date I served the foregoing document, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Post Office mail box at Sacramento, California, addressed in the manner set forth immediately above this declaration.

I declare under penalty of perjury that the foregoing is true and correct.

DATED at Sacramento, California on March 23, 2010:

By: Kathleen Lonergan
Kathleen J. Lonergan

May 22, 2009

Exhibit 'A'

APN 117-0131-021

All the land granted to IJAZ Corporation in Document No. 20080416-0579, Official Records of Sacramento County, located in Section 17, Township 7 North, Range 5 East, Mount Diablo Meridian, City of Sacramento, Sacramento County, California described as follows:

All that portion of Lot 53 as said Lot is shown upon that Plat entitles "Ehrhardt Acres", recorded in Book 12 of Maps, Map No. 24, Sacramento County Records, more particularly described as follows:

Beginning at a point on the Northerly line of Parcel 1 as said Parcel 1 is described in that Grant Deed to the State of California, in Book 670119, at Page 252, Official Records Sacramento County from which the Northwest corner of said Lot 53 bears the following two (2) courses and distances; (1) thence North $72^{\circ}20'31''$ West 83.67 feet and (2) North $03^{\circ}33'31''$ West, 25.45 feet; thence from said point of beginning South $03^{\circ}33'31''$ East parallel to and 78 feet Easterly measured at right angles to the Westerly line of said Lot 53 for a distance of 182.35 feet; thence along a tangent curve to the left, concave northeasterly, having a radius of 25.00 feet, a central angle of $90^{\circ}00'00''$, an arc length of 39.27 feet, and a chord bearing South $48^{\circ}33'31''$ East for a distance of 35.35 feet; thence North $86^{\circ}26'29''$ East for a distance of 126.05 feet; thence, along a non-tangent curve to the right, concave southerly, having a radius of 2064.95 feet, a central angle of $02^{\circ}03'10''$, an arc length of 73.98 feet, a chord bearing North $87^{\circ}19'04''$ East for a distance of 73.98 feet; thence South $88^{\circ}24'29''$ East for a distance of 120.11 feet; thence, along a non-tangent curve to the right, concave southerly, having a radius of 2061.95 feet, a central angle of $09^{\circ}33'29''$, an arc length of 343.97 feet, a chord bearing South $83^{\circ}21'46''$ East for a distance of 343.58 feet to a point 34.00 feet Southerly measured at right angles from the Northerly line of said Lot 53; thence North $17^{\circ}39'29''$ East for a distance of 14.00 feet to the Northerly line of said Parcel 1; thence North $72^{\circ}20'31''$ West for a distance of 737.87 feet along said Northerly line to the point of beginning.

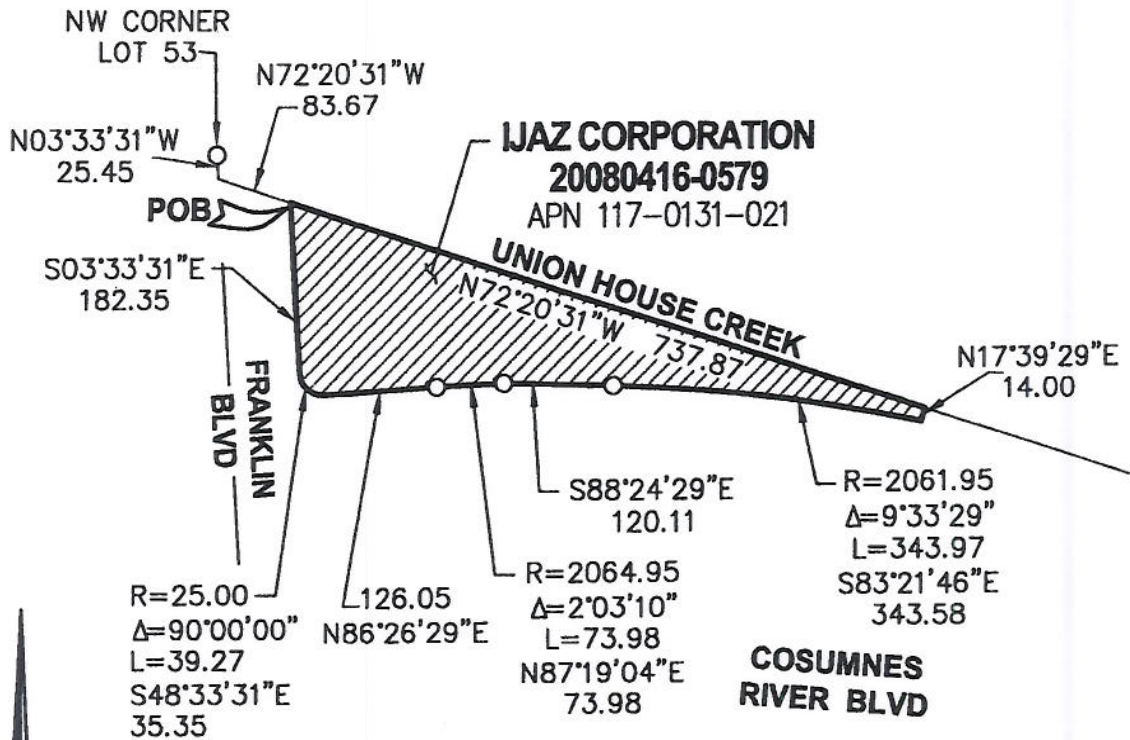
CONTAINING: an area of 1.480 acres, more or less.

All bearings shown herein are grid, California State Plane Coordinate System, Zone 2, North American Datum of 1983. All distances herein are grid distances in U.S. Survey Feet. To compute ground distance, divide grid distances by 0.99997515477.

The above described tract of land is shown on Exhibit 'B' attached hereto and made a part hereof.



IJAZ CORPORATION
20080416-0579, ORSC
A PORTION OF SECTIONS 17, T 7 N, R 5 E, MDM
CITY OF SACRAMENTO, SACRAMENTO COUNTY, CALIFORNIA
SCALE: 1"=200' MAY 22, 2009



LEGEND

 AREA: 01.480±AC

**ANDREGG
 GEOMATICS**
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 800-400-7072



Regional
 Transit

ANDREGG GEOMATICS
 11661 BLOCKER DRIVE, SUITE 200, AUBURN, CA 95603
SOUTH SACRAMENTO CORRIDOR PROJECT - PHASE 2
 APN 117-0131-021
 SRID PARCEL S63.02

RESOLUTION NO. 10-04-_____

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

April 12, 2010

**RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY
INTERESTS BY EMINENT DOMAIN FOR THE SOUTH
SACRAMENTO CORRIDOR PHASE 2
LIGHT RAIL EXTENSION PROJECT**

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

1. As part of the South Sacramento Corridor Phase 2 (SSCP2) Light Rail Extension Project, the Sacramento Regional Transit District (RT) is extending service from its Meadowview Light Rail Station to Cosumnes River College, which will add approximately 4.3 miles of track from Meadowview Road to Cosumnes River College, four new stations beyond Meadowview, including Morrison Creek, Franklin Boulevard, Center Parkway, and Cosumnes River College, two flyovers structures, four Traction Power Substation sites, tail tracks, and a parking structure.
2. The Project requires the acquisition of the real property identified as Assessors Parcel Number 117-0131-021, and more fully described in Exhibit A and depicted in Exhibit B, which are incorporated herein by reference (the "Property").
3. RT has complied with all the requirements of the California Environmental Quality Act and the National Environmental Policy Act for the Project.
4. The Property is to be acquired for public use, to wit the construction of light rail tracks and related improvements, as part of the Project. Under Public Utilities Code Sections 102240 through 102243, inclusive, Article I, Section 19 of the California Constitution, and Code of Civil Procedure Sections 1230.010 et seq., the District is authorized to acquire the property by Eminent Domain.
5. RT will acquire a fee simple interest in the Property as described in Exhibit A.
6. To the extent the Property is being put to public use, the Property is being acquired for a compatible public use under Code of Civil Procedure Section 1240.510 in that RT's use of the Property will not interfere with or impair the continued public use as it now exists or may reasonably be expected to exist in the future or in the alternative, for a more necessary public use under Code of Civil Procedure Section 1240.610 in that RT's use of the Property is a more necessary public use than the use to which the Property is appropriated.
7. Written notice of intent to adopt this Resolution of Necessity was duly given to the Property's owners of record.

8. RT has calendared this item on the Agenda and invited public comment prior to the meeting when this Resolution was considered for adoption.
9. After giving due consideration to all oral and documentary evidence presented, the Board has found and determined each of the following to be true:
 - a. The public interest and necessity require the construction of light rail service from the Meadowview Station to Cosumnes River College as outlined in the South Sacramento Corridor Phase 2 (SSCP2) Light Rail Extension Project; and
 - b. The proposed Project is planned and located in the manner that will be the most compatible with the greatest public good and the least private injury; and
 - c. The Property is necessary for the SSCP2; and
 - d. The offer required by Government Code Section 7267.2 has been made to the owners of record of the Property.
10. The Chief Legal Counsel or his designee is hereby authorized to commence and prosecute an Eminent Domain action in the appropriate court on behalf of RT to acquire the IJAZ property, to deposit the amount of probable compensation pursuant to Code of Civil Procedure Section 1255.010, and to obtain an order for immediate possession as may be necessary for the Project.

The foregoing Resolution was introduced at a regular meeting of the Board of Directors of the Sacramento Regional Transit District held on April 12, 2010 by Director _____, who moved its adoption. The motion was seconded by Director _____, and a poll was taken, recorded as follows:

AYES:

NOES:

ABSTAIN:

ABSENT:

The motion, having passed by at least a two-thirds majority of votes, the Resolution was declared to have been adopted and it was so-ordered.

STEVE MILLER, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: _____
Cindy Brooks, Assistant Secretary

May 22, 2009

Exhibit 'A'

APN 117-0131-021

All the land granted to IJAZ Corporation in Document No. 20080416-0579, Official Records of Sacramento County, located in Section 17, Township 7 North, Range 5 East, Mount Diablo Meridian, City of Sacramento, Sacramento County, California described as follows:

All that portion of Lot 53 as said Lot is shown upon that Plat entitles "Ehrhardt Acres", recorded in Book 12 of Maps, Map No. 24, Sacramento County Records, more particularly described as follows:

Beginning at a point on the Northerly line of Parcel 1 as said Parcel 1 is described in that Grant Deed to the State of California, in Book 670119, at Page 252, Official Records Sacramento County from which the Northwest corner of said Lot 53 bears the following two (2) courses and distances; (1) thence North 72°20'31" West 83.67 feet and (2) North 03°33'31" West, 25.45 feet; thence from said point of beginning South 03°33'31" East parallel to and 78 feet Easterly measured at right angles to the Westerly line of said Lot 53 for a distance of 182.35 feet; thence along a tangent curve to the left, concave northeasterly, having a radius of 25.00 feet, a central angle of 90°00'00", an arc length of 39.27 feet, and a chord bearing South 48°33'31" East for a distance of 35.35 feet; thence North 86°26'29" East for a distance of 126.05 feet; thence, along a non-tangent curve to the right, concave southerly, having a radius of 2064.95 feet, a central angle of 02°03'10", an arc length of 73.98 feet, a chord bearing North 87°19'04" East for a distance of 73.98 feet; thence South 88°24'29" East for a distance of 120.11 feet; thence, along a non-tangent curve to the right, concave southerly, having a radius of 2061.95 feet, a central angle of 09°33'29", an arc length of 343.97 feet, a chord bearing South 83°21'46" East for a distance of 343.58 feet to a point 34.00 feet Southerly measured at right angles from the Northerly line of said Lot 53; thence North 17°39'29" East for a distance of 14.00 feet to the Northerly line of said Parcel 1; thence North 72°20'31" West for a distance of 737.87 feet along said Northerly line to the point of beginning.

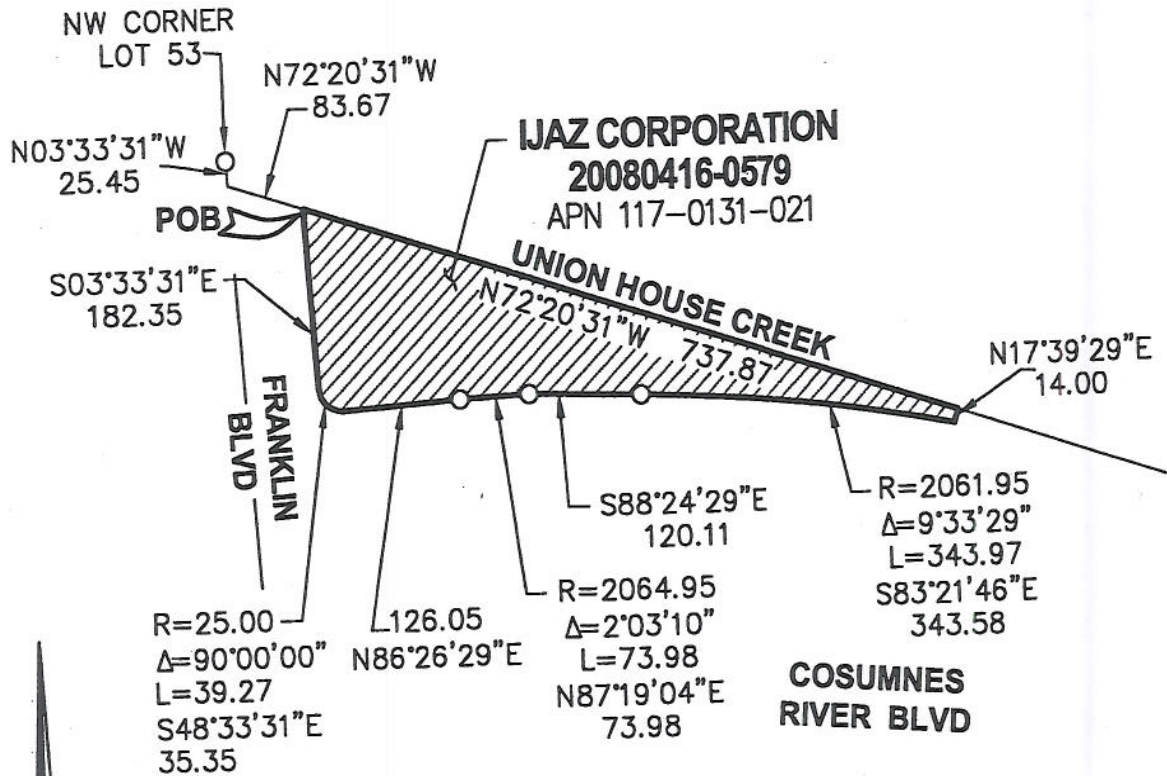
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EXHIBIT 'B'
IJAZ CORPORATION
 20080416-0579, ORSC
 A PORTION OF SECTIONS 17, T 7 N, R 5 E, MDM
 CITY OF SACRAMENTO, SACRAMENTO COUNTY, CALIFORNIA
 SCALE: 1"=200' MAY 22, 2009



LEGEND



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