

SECTION 3.

Rezoning of the property described in the attached exhibit(s) by the adoption of this ordinance shall be deemed to be in compliance with the procedures for the rezoning of property prescribed in Ordinance No. 2550, Fourth Series, as said procedures have been affected by recent court decisions.

PASSED FOR PUBLICATION: MAY 08 1986

PASSED: MAY 13 1986

EFFECTIVE: JUN 12 1986



MAYOR

ATTEST:



CITY CLERK

P86-109

LEGAL DESCRIPTION

The land referred to in this Report is situated in the State of California, County of Sacramento, City of Sacramento, and is described as follows:

Beginning at a stake in the North boundary line of Swamp Land Survey No. 261, at Sacramento County Surveys and distant North 87° 27' West 18.159 Chains from the Northeast corner of said Survey and running thence along the said North boundary line North 89° 27' West 7.933 chains to a stake; thence South 58° 44-1/2' West 34.84 chains to the left or Easterly bank of the Sacramento River; thence along the said River Bank downstream in a Southeasterly direction 5.996 chains to a point on said river bank which is located 23.984 chains Northerly from the Southeast corner of said Swamp Land Survey No. 261; thence North 56° 31' East 40.626 chains to the place of beginning, and being a fractional part of Swamp Land Survey No. 261 of Sacramento County Surveys and located in Sections 4 and 9, in Township 7 North, Range 4 East, M.D.B. & M.

EXCEPTING THEREFROM all that portion thereof lying and being Northeasterly of the Northeasterly right-of-way line of Pocket road.

FURTHER EXCEPTING THEREFROM all that portion thereof, described in Grand Deed executed by Roger Eugene Neff and Roberta Edith Neff, his wife, to the City of Sacramento, recorded March 2, 1976, in Book 76-03-02 page 271 of Official Records.

AND FURTHER EXCEPTING THEREFROM an undivided 50% interest in and to all oil, gas, minerals and other hydrocarbon substances lying below a depth of 500 feet measured vertically from the surface of said land, without, however the right of surface entry, as reserved in the deed from Roger Eugene Neff, and Roberta Edith Neff, to Brian R. Schonlank and Teresa J. Schonlank, his wife, as Joint Tenants, dated June 22, 1978, recorded June 30, 1978, in Book 78-06-30 of Official Records, at Page 1016.

At the date hereof exceptions to coverage in addition to the Exceptions and Exclusions in said policy form would be as follows:

A.

TAXES, general and special, for the fiscal year 1985-1986, as follows:

Parcel No. : 031-030-14
Billing No. : 85066014
Code Area : 03-165
1st Installment : \$455.94 DUE; Delinquent December 10, 1985
2nd Installment : \$455.94 Due February 1, 1986;
Delinquent April 10, 1986

Land : \$85,862.00
Imp. Value : \$3,343.00
P. P. Value : \$NONE
Exemption : \$7,000.00

ORDINANCE No. 86-049

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LEGAL DESCRIPTION

B.
THE LIEN of supplemental taxes, if any, assessed pursuant to the provisions of Chapter 3.5 (commencing with Section 75) of the Revenue and Taxation Code of the State of California.

C.
CITY IMPROVEMENT BOND - 1915 BOND ACT.
Chart No. 1580-00; Resolution No. 5166; Assessment No. 2.
Original Amount: \$106,335.07.
Interest at the rate of 8% per annum.
Principal and interest payable in 15 annual installments beginning with the fiscal year 1985-1986.
Unpaid Principal Balance: \$106,335.07. (Exclusive of amount in current and/or delinquent installments).
Installments for the fiscal year 1985-1986
1st Installment: \$9,857.76 DUE; Delinquent December 10, 1985
2nd Installment: \$9,857.76 Due February 1, 1986;
Delinquent April 10, 1986
Amount to pay Bond in full: \$228,074.28
Prior to: December 10, 1985.

D.
ASSESSMENTS or calls of Reclamation District 673. All calls are paid to date.

1.
RIGHTS of the public, County and/or City, in and to that portion of said land lying within Pocket Road

2.
RIGHTS OF THE PUBLIC, the State of California (or any political subdivision thereof) or of the United States of America in or to any portion of the land lying below the high water-line of the Sacramento River as it exists now or as it has existed in the state of nature.

3.
ANY ADVERSE CLAIM based upon allegation that any portion of the land or all of it has been filled or reclaimed by forces other than nature.

LEGAL DESCRIPTION

4.
DEED OF TRUST to secure an indebtedness of the amount stated below and any other amounts payable under the terms thereof,
Amount : \$60,000.00.
Trustor/Borrower : Brian R. Schonlank and Teresa J. Schonlank, his wife.
Trustee : Title Insurance and Trust Company, a California corporation.
Beneficiary/Lender : Roger Eugene Neff and Roberta Edith Neff, his wife, as community property.
Dated : June 22, 1978.
Recorded : June 30, 1978, in Book 78-06-30 of Official Records, at Page 1018.
Returned to Address: 56 California Street, Hollister, CA 95023

5.
THE EFFECT, if any, of an "Individual Grant Deed" from Teresa J. Schonlank, as Joint Tenant to Teresa J. Schonlank, as Tenants in Common, dated December 6, 1983, recorded December 7, 1983, in Book 83-12-07 of Official Records, at Page 806. Said Deed purports to sever the Joint Tenancy between the vestees herein.

NOTE:

THE EFFECT of Instruments, proceedings, liens, decrees or other matters which do not specifically describe the property but which, if any exist, may affect the title or impose liens or encumbrances thereof. The name search necessary to ascertain the existence of such matters has not been completed and a Statement of Identity from PETE MACALUSO will be required in order to complete this Report.

NOTE:

THE HEREIN DESCRIBED PROPERTY being located in the City of Sacramento attention is hereby made to Sacramento City Ordinance No. 4101 effective July 1, 1978, which imposes an additional Transfer Tax of 1/4 of 1% of the total consideration.

NOTE: (SPECIAL INFORMATION)

According to the public records, there have been no deeds conveying the property described in this report recorded within a period of six months prior to the date hereof except as follows:

None