

# Folsom City Council Staff Report

<b>MEETING DATE:</b>	5/14/24
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Resolution No. 11192 – A Resolution Authorizing the City Manager to Execute a Grant Deed Transfer of a Portion of Lot 16 Located in Russell Ranch Phase 1 from the City of Folsom to the Russell Ranch Community Association
<b>FROM:</b>	Community Development Department

**RECOMMENDATION / CITY COUNCIL ACTION**

Staff recommends that the City Council move to adopt:

Resolution No. 11192 - A Resolution Authorizing the City Manager to Execute a Grant Deed Transfer of a Portion of Lot 16 Located in Russell Ranch Phase 1 from the City of Folsom to the Russell Ranch Community Association.

**BACKGROUND / ISSUE**

Following approval by the City Council at their regularly scheduled meeting held on September 12, 2017, the Russell Ranch Large Lot Final Map was recorded on September 21, 2017 and includes Lot 16, which is located directly adjacent to the Russell Ranch Community Association (HOA) Clubhouse property. In the final map, instructions stated this lot, “shall be deeded in fee to the City of Folsom for open space purposes by separate document”. Both the Vesting Tentative Map and Final Map refer to this lot as open space.

In January of 2021, Mackay & Soms prepared the Grant Deed that was recorded on March 11, 2021, transferring Lot 16 ownership from TNHC Russell Ranch, LLC (The New Home Company) to the City of Folsom. Please see the image on the following page for reference.



However, since that time, the New Home Company has constructed the adjacent phase, including the HOA owned and maintained clubhouse property. The clubhouse parcel includes formal landscaping, an event lawn, irrigation, a shade structure, and electrical panel, all of which the HOA currently owns and maintains. Throughout the design and construction of Lot 16 and the clubhouse, it appears the grading plan and landscaping plan for Lot 16, as well as its proximity to the adjacent clubhouse parcel, was not available at the time or not fully considered when the grant deed was executed and transferred to the City in March of 2021. Subsequently, the clubhouse plans were approved by the City of Folsom and a portion of the clubhouse's landscaping and irrigation resides on the portion of Lot 16 that is the subject matter of this agenda item.

The New Home Company submitted a request to the City to consider transferring the sloped portion of Lot 16 to the Russell Ranch Community Association (HOA) that includes that certain portion of the existing clubhouse landscaping and irrigation on the City's property. Transferring this portion of Lot 16 to the HOA will allow it to be maintained with the clubhouse parcel while reducing liability to the City for ongoing maintenance. The portion of Lot 16 proposed to be deeded will retain use as an open space parcel in compliance with the original entitlements and conditions. The remainder of Lot 16 will still be owned in fee by the City to allow for access and maintenance of adjacent Alder Creek Parkway. Should this item not be approved, the existing clubhouse irrigation and landscaping in the portion of Lot 16 to be deeded would need to be significantly amended in the field at considerable expense.

City staff has reviewed the request and are in support of this action to transfer a portion of Lot 16 to the Russell Ranch Community Association as shown in Attachment 2 to staff's report.

### **POLICY / RULE**

The Subdivision Map Act of the State of California and the Folsom Municipal Code require that City Council approve land transfers unless previously authorized under prior approvals.

### **ANALYSIS**

The proposed grant deed of a portion of Lot 16 has been reviewed and approved by the Community Development Department and other City Departments. The proposed use has been found to be in substantial compliance with the approved large lot final map and all conditions pertaining to the map remain satisfied.

Attached is the proposed grant deed document for reference. The proposed transfer will allow the property to retain its current use and designation as open space. The HOA is not seeking any financial obligations from the City and proposes to accept all costs and liabilities of owning this portion of Lot 16.

### **ENVIRONMENTAL REVIEW**

The City has determined that this proposed transfer of a portion of Lot 16 is entirely consistent with the Folsom Area Specific Plan (FPASP) and zoning and therefore, does not result in any new or more severe environmental effects that are peculiar to the project or the parcels as

previously analyzed in the FPASP EIR/EIS and is eligible for exemption from review under the California Environmental Quality Act (CEQA) under the provisions set forth in Government Code Section 65457 and CEQA Guidelines 15182. No further environmental review is required for this proposed grant deed transfer.

**ATTACHMENTS**

1. Resolution No. 11192 - A Resolution Authorizing the City Manager to Execute a Grant Deed Transfer of a Portion of Lot 16 Located in Russell Ranch Phase 1 from the City of Folsom to the Russell Ranch Community Association
2. Proposed Grant Deed of Portion of Lot 16

Submitted,



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PAM JOHNS  
Community Development Director

## ATTACHMENT 1

Resolution No. 11192 - A Resolution Authorizing the City Manager to Execute a Grant Deed Transfer of a Portion of Lot 16 Located in Russell Ranch Phase 1 from the City of Folsom to the Russell Ranch Community Association



**RESOLUTION NO. 11192**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT DEED TRANSFER OF A PORTION OF LOT 16 LOCATED IN RUSSELL RANCH PHASE 1 FROM THE CITY OF FOLSOM TO THE RUSSELL RANCH COMMUNITY ASSOCIATION**

**WHEREAS**, the Russell Ranch Large Lot Final Map was recorded on September 21, 2017 following City Council approval at their regularly scheduled meeting held on September 12, 2017; and

**WHEREAS**, a grant deed was prepared and recorded that transferred ownership of Lot 16 as created by the Russell Ranch Large Lot Final Map from TNHC Russell Ranch, LLC to the City of Folsom on March 11, 2021; and

**WHEREAS**, portion of Lot 16 was landscaped and irrigated as part of the improvements with the Russell Ranch Community Association Clubhouse located just to the north of Lot 16; and

**WHEREAS**, The New Home Company has submitted a request to the City to transfer a portion of Lot 16 from the City to the Russell Ranch Community Association to own in fee, including all associated costs and liabilities at no cost to the City; and

**WHEREAS**, the grant deed is in a form acceptable to the City Attorney:

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom authorizes the City Manager to execute a grant deed transfer of a portion of Lot 16 located in Russell Ranch Phase 1 from the City to the Russell Ranch Community Association.

**PASSED AND ADOPTED** this 14th day of May, 2024, by the following roll-call vote:

**AYES:** Councilmember(s):  
**NOES:** Councilmember(s):  
**ABSENT:** Councilmember(s):  
**ABSTAIN:** Councilmember(s):

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Michael D. Kozlowski, MAYOR

ATTEST:

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Christa Freemantle, CITY CLERK

ATTACHMENT 2

Russell Ranch Lot 16 Grant Deed

NO FEE, For the benefit of the City of Folsom pursuant to Government Code 6103

**RECORDING REQUESTED BY:**

City of Folsom

And When Recorded Mail This Deed and, Unless Otherwise Shown Below, Mail Tax Statements To:

NAME Russell Ranch Community Association  
STREET C/O The New Home Company  
ADDRESS 15231 Languna Canyon Rd., Suite 250  
CITY Irvine, Ca 92618  
STATE Attn: Lori Michael  
ZIP

SPACE ABOVE THIS LINE FOR RECORDERS USE

DOCUMENTARY TRANSFER TAX \$ \_\_\_\_\_

COMPUTED ON FULL VALUE OF PROPERTY CONVEYED,  
OR COMPUTED ON FULL VALUE LESS LIENS AND  
ENCUMBRANCES REMAINING AT THE TIME OF SALE.

*Signature of Declarant or Agent Determining Tax Firm Name*

**GRANT DEED**  
**(PORTION OF LOT 16 – 398 BM 1)**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

CITY OF FOLSOM, a municipal corporation

Hereby **GRANT(S)** to RUSSELL RANCH COMMUNITY ASSOCIATION, a California mutual benefit corporation, the following described real property in the City of Folsom, County Sacramento, State of California, described as follows:

See the Attached Exhibits "A" and "B"

Assessor's Parcel Numbers: Portion of 072-3430-016

CITY OF FOLSOM  
a municipal corporation

By: \_\_\_\_\_

Name: Elaine Andersen  
Title: City of Folsom, City Manager

Date: \_\_\_\_\_

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE: IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

Name Street Address City & State



CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }  
County of Sacramento }

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public,  
personally appeared \_\_\_\_\_

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 State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SIGNATURE \_\_\_\_\_

PLACE NOTARY SEAL ABOVE

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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other than Named Above: \_\_\_\_\_

## EXHIBIT "A"

### DESCRIPTION OF PROPERTY (PORTION OF LOT 16 - 398 BM 1)

All that real property situated in the City of Folsom, County of Sacramento, State of California located within Sections 15, Township 9 North, Range 8 East, Mount Diablo Meridian, being a portion of the Lot 16 as shown and depicted on that certain final map titled "Final Map (PN16-122) Russell Ranch Large Lot" filed for record on September 21, 2017 in Book 398 of Maps, At Page 1, Sacramento County Records, and more particularly described as follows:

Beginning at the most northerly corner of said Lot 16; thence from the **POINT OF BEGINNING** the following sixteen (16) courses:

1. Along the northeasterly line of said Lot 16, South 49°18'04" East a distance of 67.76 feet to a point of curvature;
2. 16.56 feet along the arc of a tangent 73.00 foot radius curve to the left through a central angle of 13°00'04";
3. Leaving said northeasterly line of Lot 16, South 11°14'48" West a distance of 76.08 feet;
4. South 82°48'55" West a distance of 14.64 feet;
5. South 84°19'31" West a distance of 38.14 feet;
6. South 79°08'11" West a distance of 40.60 feet;
7. South 76°20'21" West a distance of 46.91 feet;
8. South 70°38'37" West a distance of 19.84 feet;
9. South 36°56'03" West a distance of 9.11 feet;
10. South 72°12'42" West a distance of 6.95 feet;
11. South 17°35'00" West a distance of 57.83 feet;
12. South 21°59'52" West a distance of 3.52 feet;
13. North 52°05'21" West a distance of 33.16 feet;
14. North 40°10'56" West a distance of 27.32 feet;
15. North 40°32'08" West a distance of 19.74 feet to the northwesterly line of said Lot 16;
16. Along said northwesterly line of Lot 16, North 48°40'22" East a distance of 258.27 feet to the **Point of Beginning**.

Containing 22,095 square feet of land, more or less.

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

This legal description was prepared by me or under my supervision pursuant to Section 8729 (2) of the Professional Land Surveyors Act.

*Pedro Jarquin*

Pedro Jarquin, PLS 8268  
License Expiration Date: 12/31/2025

Date: 4/29/24



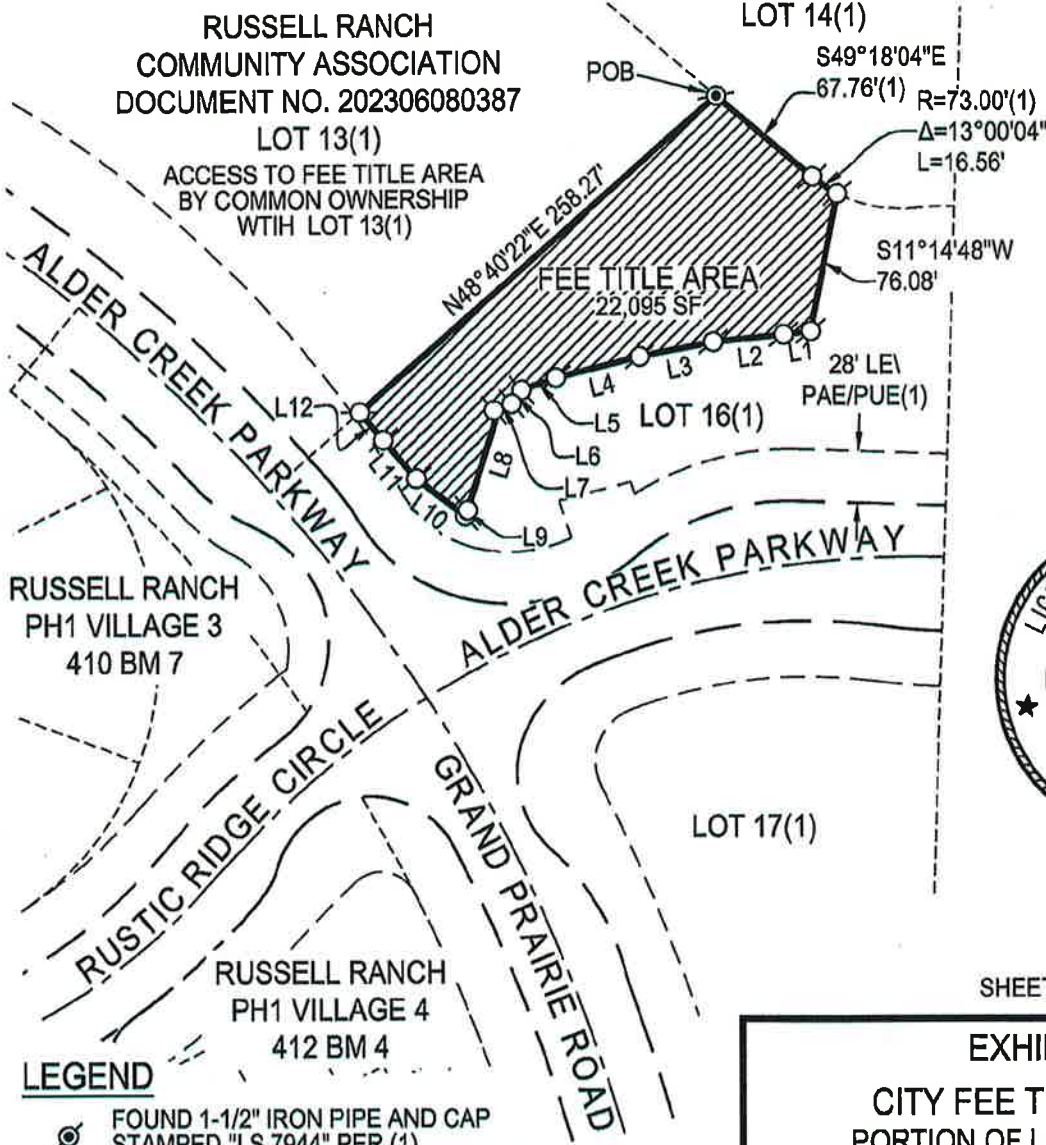
Description prepared by:  
**MACKAY & SOMPS CIVIL ENGINEERS, INC.**  
1025 Creekside Ridge Drive, Suite 150, Roseville, CA 95678  
P:\27107\_OA\SRV\Mapping\Desc\LOT 16\desc-LOT 16.docx

Line Table		
Line #	Bearing	Length
L1	S82°48'55"W	14.64'
L2	S84°19'31"W	38.14'
L3	S79°08'11"W	40.60'
L4	S76°20'21"W	46.91'

Line Table		
Line #	Bearing	Length
L5	S70°38'37"W	19.84'
L6	S36°56'03"W	9.11'
L7	S72°12'42"W	6.95'
L8	S17°35'00"W	57.83'

Line Table		
Line #	Bearing	Length
L9	S21°59'52"W	3.52'
L10	N52°05'21"W	33.16'
L11	N40°10'56"W	27.32'
L12	N40°32'08"W	19.74'

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pjarquin  
14:28:50  
4-29-2024



**LEGEND**

- FOUND 1-1/2" IRON PIPE AND CAP STAMPED "LS 7944" PER (1)
- SET 5/8" REBAR AND PLASTIC CAP STAMPED "LS 8268"
- DIMENSION POINT
- BM** BOOK OF MAPS
- LE** LANDSCAPE EASEMENT
- PAE** PEDESTRIAN ACCESS EASEMENT
- POB** POINT OF BEGINNING
- PUE** PUBLIC UTILITY EASEMENT
- (1)** 398 BM 1

SHEET 1 OF 1

**EXHIBIT "B"**

**CITY FEE TITLE GRANT**  
PORTION OF LOT 16 - 398 BM 1  
SECTION 15, T. 9 N., R. 8 E., M.D.M.  
CITY OF FOLSOM  
COUNTY OF SACRAMENTO STATE OF CALIFORNIA

**MACKAY & SOMPS**  
ENGINEERS PLANNERS SURVEYORS  
1025 Creekside Ridge Drive, Suite 150, Roseville, CA 95678 (916) 773-1189

PJ	1"= 100'	04/25/2024	27107.LEN
DRAWN BY	SCALE	DATE	JOB NO.

IF A DISCREPANCY EXISTS BETWEEN THIS EXHIBIT AND THE ASSOCIATED DESCRIPTION, THE DESCRIPTION HOLDS. THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY.

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to facilitate double-sided printing  
and minimize paper use.*



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE