



City Council Staff Report

Subject: Disclaimer of Conservation Easement Property Interest in Connection with the Placer Parkway Phase I Project

Date: May 27, 2025

Submitted By: Crystal Hodgson, Assistant City Attorney
Matthew McOmber, City Attorney

Department: City Attorney's Office

Recommendation:

Adopt a Resolution of the City Council of the City of Rocklin Approving and Authorizing the City Manager to Execute and File a Disclaimer of Interest in the County of Placer v. Orchard Creek Investors, LLC, and City of Rocklin Eminent Domain Action Regarding the Placer Parkway Phase I Project.

Background:

In order to acquire the land and rights-of-way necessary for the first phase of the Placer Parkway Project (Project), the County of Placer initiated an eminent domain action in Placer County Superior Court. The action includes the City of Rocklin, which holds a conservation easement within the area of the Project. The Orchard Creek Business Park was offered the conservation easement area for dedication to the City as a condition of approval of the Orchard Creek Business Park Tentative Subdivision Map (Resolution No. 2005-141), which was accepted by the City via Resolution No. 2006-326 on October 10, 2006.

The parcel encumbered by the conservation easement is located just east of Highway 65 and north of Whitney Ranch Parkway (Attachment 3). Orchard Creek Investors, LLC, ("Fee Owner") is the property owner of the conservation easement area.

All property rights over the Project area, including the private landowner's fee interest and the City's conservation easement, must be extinguished over the 0.12 acre for the Placer Parkway Phase I Project to proceed. In accordance with eminent domain law, the County obtained a valuation of the Fee Owner's interest in the property, which value was determined to be \$550. Staff is informed that Placer County and Orchard Creek Investors, LLC, have reached an agreement to allow the County to acquire ownership needed for the roadway project at the cost of \$550. Based on this valuation, the City's easement value is of nominal or no value and would fall below the cost to obtain an appraisal or otherwise expend resources to oppose the eminent domain action. The City's Public Works Director has opined that the City likely will realize savings as a result of disclaiming its interest because the City will no longer have an obligation to maintain the 0.12 acre conservation easement area.

The City may execute and file a “Disclaimer of Interest” in the action (Code of Civil Procedure section 1250.325), as attached to the proposed Resolution accompanying this item. If the City Council approves the Resolution, the City Manager would sign the form on behalf of the City and file it with Placer County Superior Court. The County would record notice of the County's acquisition of the property through eminent domain, which would automatically reduce the City's conservation easement by the 0.12 acre that the County acquires and would conclude the City's involvement in the legal proceedings.

Environmental Analysis:

This property acquisition is part of the Placer Parkway Phase I, Project. Placer County is the lead agency for the project under the California Environmental Quality Act. The County Board of Supervisors adopted a Mitigated Negative Declaration for the project on September 1, 2015. The full text of the MND can be viewed here: <https://www.placer.ca.gov/1655/Placer-Parkway>.

Fiscal Impact:

Approval of the attached Resolution to disclaim the City's conservation easement over 0.12 acres will save staff time and court filing fees in further responding to the County of Placer's eminent domain action.

ATTACHMENTS:

1. [Resolution - Disclaimer of Interest](#)
2. [Resolution Exhibit A - Disclaimer of Interest](#)
3. [Map of Conservation Easement Area](#)
4. [Letter from Placer County](#)
5. [Summons Lis Pendens and Complaint - Orchard Creek Business Park Conservation Easement Area](#)