

RESOLUTION NO. 2012-084

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF ZONE 164 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION

WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") has been advised by the Transportation Department (hereinafter "Department") of the County that said Department has received an application from the owner (the "Applicant") of all the property within the unincorporated area of the County (hereinafter "Zone 164"), as shown and described in Exhibit "A", which is attached hereto and made a part hereof, to be annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County of Riverside, State of California, and the Board of Supervisors has determined that it is necessary and desirable to initiate proceedings for the annexation of Zone 164 to L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter, respectively, the "Act" and the "Street and Highways Code"); and

WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California Constitution and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Zone 164; and

WHEREAS, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on June 19, 2012; and

WHEREAS, the Director of the Department, or his designee, is a licensed and registered civil engineer, has expertise with respect to the annexation of territory to landscaping and lighting maintenance districts and the levying of assessments for said purposes and, therefore, is able to serve

FORM APPROVED COUNTY COUNSEL
BY: *Walter A. Gardner* 3/27/12
DALE A. GARDNER DATE

as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of Zone 164 to L&LMD No. 89-1-C.

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside assembled in regular session on May 1, 2012 as follows:

Section 1. Recitals. The Board of Supervisors hereby finds and determines that all the above recitals are true and correct.

Section 2. Annexation. The Board of Supervisors proposes to annex Zone 164 to L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to the Act for the purpose of levying an annual assessment on all parcels within Zone 164 to pay the costs of the following services:

- (a) The maintenance and servicing of infiltration swales within the public right-of-way including the trimming, fertilizing, weeding, and replanting of grass, and other ornamental vegetation; and
- (b) The maintenance and servicing of irrigation and electrical facilities associated with the infiltration swales, including but not limited to electricity for operation of the irrigation system and water for irrigation.

Section 3. Boundaries and Designation. The boundaries of Zone 164 that are proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and described in Exhibit "A".

Section 4. Report. The Director of the Department of the County, or his designee, is hereby designated Engineer and is ordered to prepare and file a report with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the Streets and Highways Code and Section 4 of Article XIID of the California Constitution regarding said annexation and the levy.

Section 5. Effective Date. This Resolution shall take effect from and after its date
of adoption.

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 164 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of APN 942-250-053 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2012-13.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

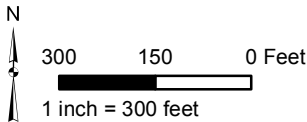
ZONE 164

PORTION OF SECTIONS 23 & 26, T.7S., R.2W.
PLOT PLAN NO. 21570

1 PARCEL

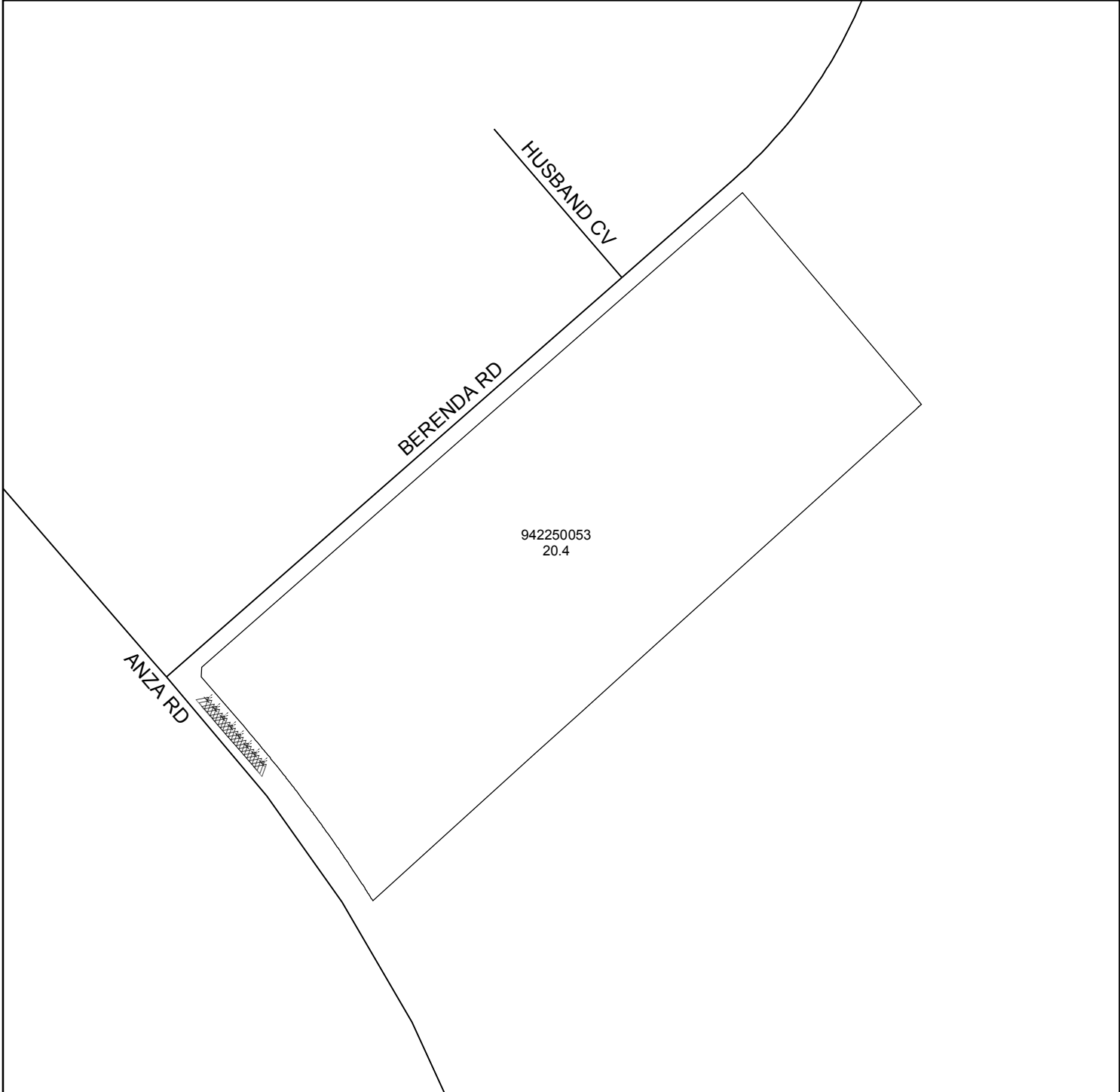


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ASSESSMENT DIAGRAM

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DENOTES MAINTAINED INFILTRATION SWALE