RESOLUTION NO. 2006-822

Adopted by the Sacramento City Council

November 14, 2006

INITIATING PROCEEDINGS TO ANNEX TERRITORY TO THE NEIGHBORHOOD LANDSCAPING DISTRICT (ANNEXATION 31)

BACKGROUND

A. The City Council has previously formed the Neighborhood Landscaping District under the Landscaping and Lighting Act of 1972 (part 2 of division 15 in the Streets and Highways Code, beginning with section 22500) (the 1972 Act).

B. Centex Homes, a Nevada General Partnership (Landowner), is the sole owner of the territory described in Exhibit A. Landowner has applied for a subdivision map covering this territory, and one of the conditions of approval for the subdivision map requires Landowner to annex the territory to the district. To fulfill this condition, Landowner presented to the City a petition requesting that the City commence proceedings for annexing the territory to the district in accordance with the 1972 Act.

C. The City has installed, constructed, or acquired within the territory described in Exhibit A, or will subsequently install, construct, or acquire, the public improvements generally described in Exhibit B. The City will also maintain and service these improvements in the manner generally described in Exhibit B. To finance the cost of providing the, maintenance, and service of improvements, and as requested by Landowner, the City Council proposes to annex to the district the territory described in Exhibit A.

D. The City Council is fully advised in this matter.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The City Council finds and determines that the Background statements A through D are true and correct.

Section 2. The City Council accepts Landowner's petition requesting that the territory described in Exhibit A be annexed to the Neighborhood Landscaping District. The petition is on file with the City Clerk.

Section 3. The City Council proposes to annex the territory described in Exhibit A to the Neighborhood Landscaping District in accordance with the 1972 Act. The territory to be annexed will be designated as Annexation No. 31 to the Neighborhood Landscaping District.

Section 4. Exhibit B generally describes the maintenance and service of improvements

to be provided within the territory to be annexed.

Section 5. The Development Engineering Manager of the Development Services Department is designated as the Engineer for purposes of (a) annexing to the district the territory described in Exhibit A; and (b) levying an assessment on assessable lots and parcels within the annexed territory to finance the maintenance and service of improvements generally described in Exhibit B, in accordance with chapter 3.44 of the Sacramento City Code, the 1972 Act, and article XIIID of the California Constitution.

Section 6. The Engineer is directed to prepare and file the following with the City Clerk: (a) a written Engineer's Report in accordance with section 4 in article XIIID of the California Constitution and article 4 (commencing with Streets and Highways Code section 22565) in chapter 1 of the Streets and Highways Code, reflecting an assessment for the period of July 1, 2007, to June 30, 2008; and (b) a map of Annexation No. 31 to the Neighborhood Landscaping District, as required by Streets and Highways Code section 3110.

Section 6. Exhibits A, B, and B-1 are part of this resolution.

Table of Contents:

Exhibit A: Description of Territory to Be Annexed – 1 Page
Exhibit B: Description of maintenance – 1 Page
Exhibit B-1: Map of Territory to Be Annexed – 1 Page

Adopted by the City of Sacramento City Council on November 14, 2006 by the following vote:

Ayes: Councilmembers, Cohn, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Vice Mayor Fong.

Noes: None.

Abstain: None.

Absent: Mayor Fargo.

Robert King Fong, Vice Mayor

Attest: Shirley Concolino

Shirley Concolino, City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF TERRITORY TO BE ANNEXED

All that certain real property situate in the City of Sacramento, County of Sacramento, State of California, described as follows:

The subdivision map entitled "Cameron 5", recorded on September 29, 2006 in Book 357 of Maps, Map number 8, records of Sacramento County.

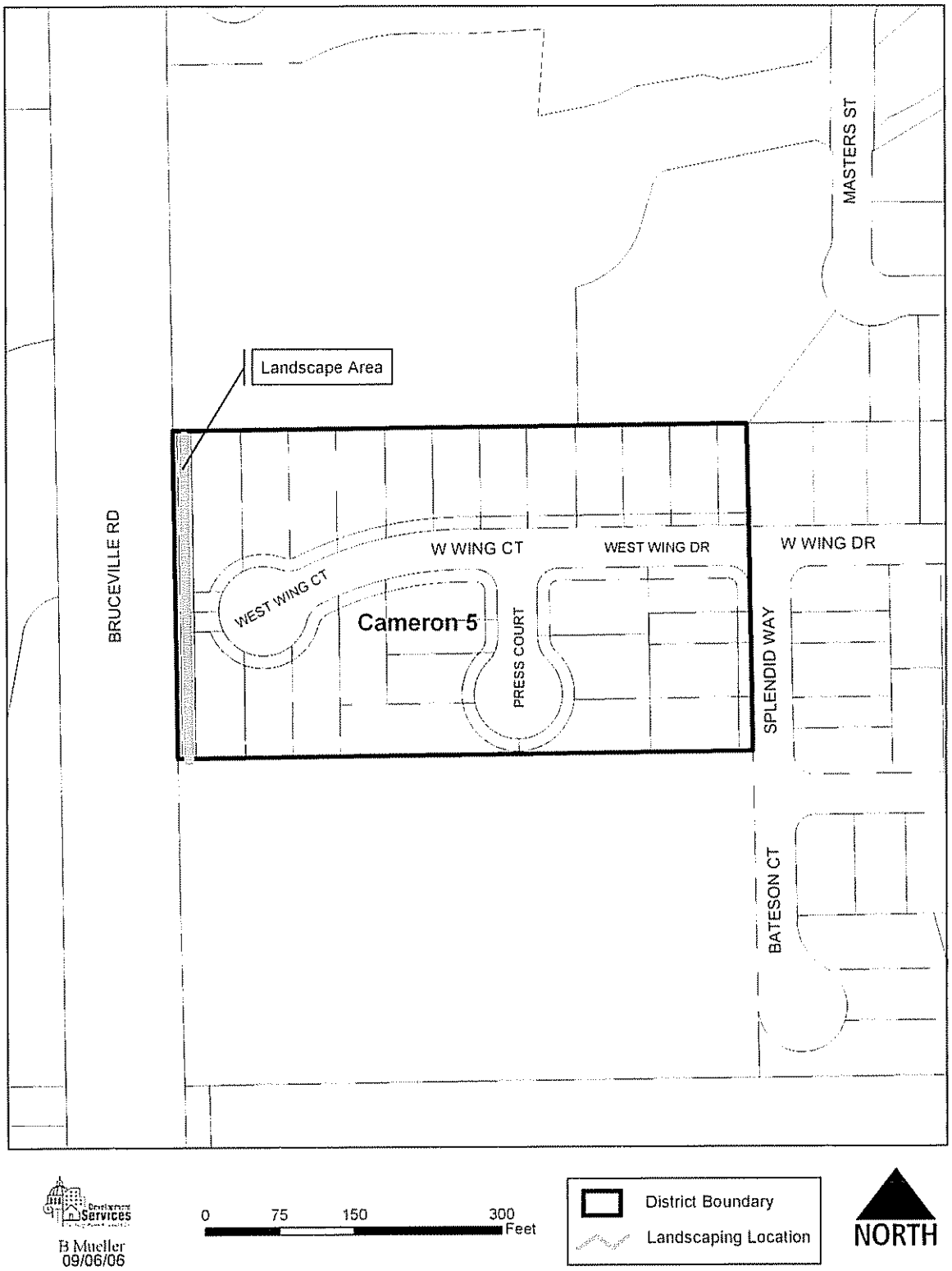
EXHIBIT B

DESCRIPTION OF MAINTENANCE, AND SERVICE OF IMPROVEMENTS

The Services to be provided within the area to be annexed to the District are described as follows:

> Furnish all tools, equipment, apparatus, facilities, labor, material, supplies and utilities necessary or desirable to maintain and service the landscape improvements as shown on Exhibit B-1, and more particularly described on plans and specifications approved by the City of Sacramento on file at the City of Sacramento, Development Services Department, 915 "I" Street, 3rd Floor, Sacramento, CA 95814.

The improvements to be maintained generally consist of masonry walls, landscaping and irrigation systems for the landscape areas within or adjacent to the residential subdivision or subdivisions identified on Exhibit B-1. Maintenance of said improvements shall include, but not be limited to, periodic mowing of grass, trimming of trees and shrubs, fertilizing, together with the regular furnishing of water for irrigation of plant material, and the repair, maintenance and replacement of the irrigation system, planted materials, and amenities. Maintenance of masonry walls includes periodic repair, as may be required.

EXHIBIT B-1

Annexation 31 to the Neighborhood Landscaping District (Cameron 5)