

RESOLUTION NO. 2007-231

Adopted by the Sacramento City Council

April 17, 2007

APPROVING BOUNDARY MAP OF TERRITORY TO BE ANNEXED AND PRELIMINARILY APPROVING ENGINEER'S REPORT TO THE NEIGHBORHOOD WATER QUALITY DISTRICT (ANNEXATION 3)

BACKGROUND

- A. The City Council has previously formed the Neighborhood Water Quality District No. 2003-03 under Chapter 3.124 of the Sacramento City Code (Chapter 3.124).
- 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 Chapter 3.124.
- 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. By Resolution No. 2007-230, and in response to Landowner's petition, the City Council (1) initiated proceedings to annex to the district the territory described in Exhibit A; (2) designated the Development Engineering Manager of the Development Services Department to be the Engineer for purposes of the annexing the territory to the district and levying an assessment to finance the maintenance, and service of improvements generally described in Exhibit B; (3) directed the Engineer to prepare and file with the City Clerk a map of the territory to be annexed, as required by Streets and Highways Code section 3110; and (4) directed the Engineer to prepare and file with the City Clerk the Engineer's Report required by section 4 in article XIID of the California Constitution and Section 3.124.110 of the Sacramento City Code.
- E. As directed, the Engineer has prepared and filed with the City Clerk (1) a map entitled "Boundary Map Annexation #3 to the Neighborhood Water Quality District

No. 2003-03" which shows the proposed boundaries of the territory to be annexed (the Boundary Map); and (2) an Engineer's Report prepared in accordance with section 4 in article XIID of the California Constitution and Section 3.124.110 of the Sacramento City Code (the Engineer's Report). The City Clerk has presented the Boundary Map and the Engineer's Report to the City Council for consideration and the City Council has fully considered both the Boundary Map and the Engineer's Report.

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 E are true and correct.
- Section 2. The City Council approves the Boundary Map, a copy of which is attached as Exhibit C, and directs the City Clerk to endorse on the Boundary Map a certificate evidencing the date and adoption of this resolution.
- Section 3. The City Council preliminarily approves the Engineer's Report.
- Section 4. Exhibits A, B, B-1, and C are part of this resolution.

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Exhibit A: Legal 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
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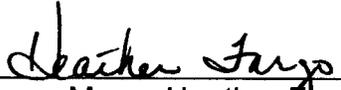
Adopted by the City of Sacramento City Council on April 17, 2007 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.



Mayor Heather Fargo

Attest:



Shirley Concolino, City Clerk

RESOLUTION APPROVING BOUNDARY MAP

EXHIBIT A

LEGAL DESCRIPTION OF TERRITORY TO BE ANNEXED

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

The subdivision map entitled "Sheldon 20", recorded on January 30, 2007 in Book 363 of Maps, Map number 6, records of Sacramento County.

EXHIBIT B

DESCRIPTION OF MAINTENANCE, AND SERVICE OF IMPROVEMENTS

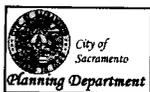
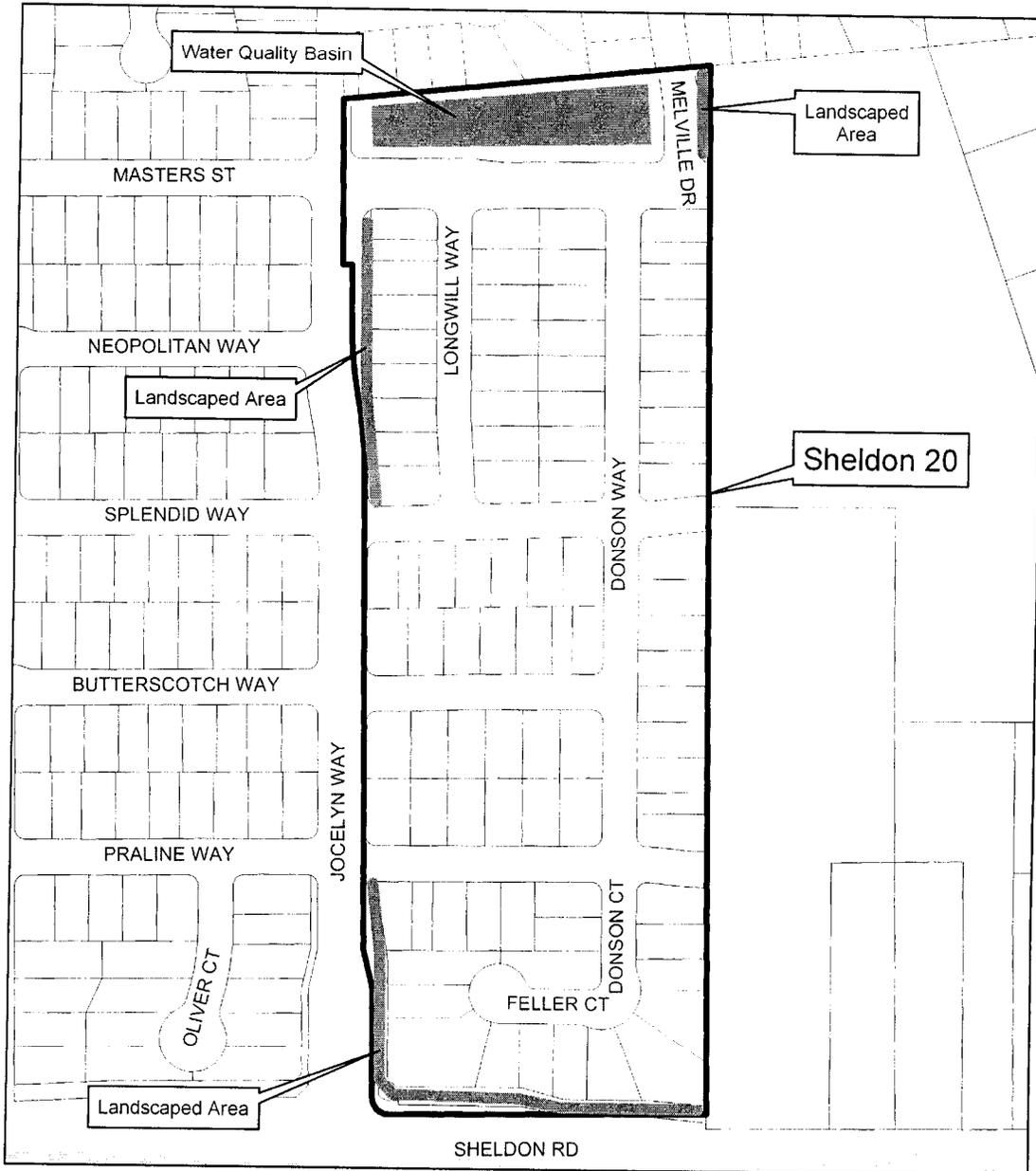
The Services to be provided within the subdivision entitled Sheldon 20 (lots A, B, C & D) the area to be annexed to the District are described as follows:

Furnish all tools, equipment, apparatus, facilities, labor, material, supplies and utilities necessary or desirable to maintain and service the water quality feature and 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 water quality features, 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 post & cable irrigation system, planted materials, and amenities. Maintenance of masonry walls includes periodic repair, as may be required.

Resolution Approving Boundary map
EXHIBIT B-1

**Annexation #3 to the Neighborhood
Water Quality District No. 2003-03**



BMueller 3/19/07

