

RESOLUTION NO. 2006-068

Adopted by the Sacramento City Council

January 24, 2006

APPROVING BOUNDARY MAP OF TERRITORY TO BE ANNEXED AND PRELIMINARILY APPROVING ENGINEER'S REPORT

BACKGROUND

- A.** The City Council has previously formed the Willowcreek Maintenance Assessment District No. 98-03 under Chapter 3.124 of the Sacramento City Code (Code Chapter 3.124).
- B.** Tim Lewis Communities, Inc., a California Corporation (Landowner), is the sole owner of the territory described in Exhibit A. Landowner has applied for a subdivision map covering the 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 has presented a petition to the City requesting that the City commence proceedings for annexing the territory to the district in accordance with the Code 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. 2006-067, 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 and Finance Manager of the Development Services Department to be the Engineer for purposes of 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 "Boundaries of Annexation No. 11 to the Willowcreek Maintenance

Assessment District No. 98-03 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.
- 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, and C are part of this resolution.

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Adopted by the City of Sacramento City Council on January 24, 2006 by the following vote:

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

Noes: None.

Abstain: None.

Absent: Mayor Fargo.



Vice Mayor Robert King Fong

Attest:



Shirley Cortcolino, 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 Parcel Map entitled "Riverbend O'Brien", recorded December 15, 2005 in book 345, at page 12, official records of Sacramento County.

EXHIBIT B

DESCRIPTION OF MAINTENANCE, AND SERVICE OF IMPROVEMENTS

The maintenance work (hereafter referred to as the "work") for Annexation No. 11 to the Willowcreek Maintenance Assessment District is briefly described in three parts as follows:

Part #1:

The work described herein is to be carried out at Storm Sump 160 located within the boundaries of the Willowcreek Assessment District No. 94-03 recorded on March 17, 1995, in Book 80 of Maps of Assessment Districts and Community Facilities District at Page 26 in the office of the County Recorder of the County of Sacramento, State of California:

The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to provide inspections and water quality and sediment sampling and analysis.

Part #2:

The work described herein is to be carried out at Storm Sump 160, the storm drainage manholes, inlets and pipes in Orchard Lane/River Plaza Drive from its northerly intersection of the Natomas Main Drainage Canal to a point approximately 1,700 feet south of its intersection of West El Camino Avenue, Barandas Drive (formerly known as Road "A"), West River Drive (formerly known as Road "B" & Unity Way) all located within the Willowcreek Assessment District No. 94-03, and the roadways within the Riverbend O'Brien Subdivision located within Annexation No. 11 to the Willowcreek Maintenance Assessment District No. 98-03:

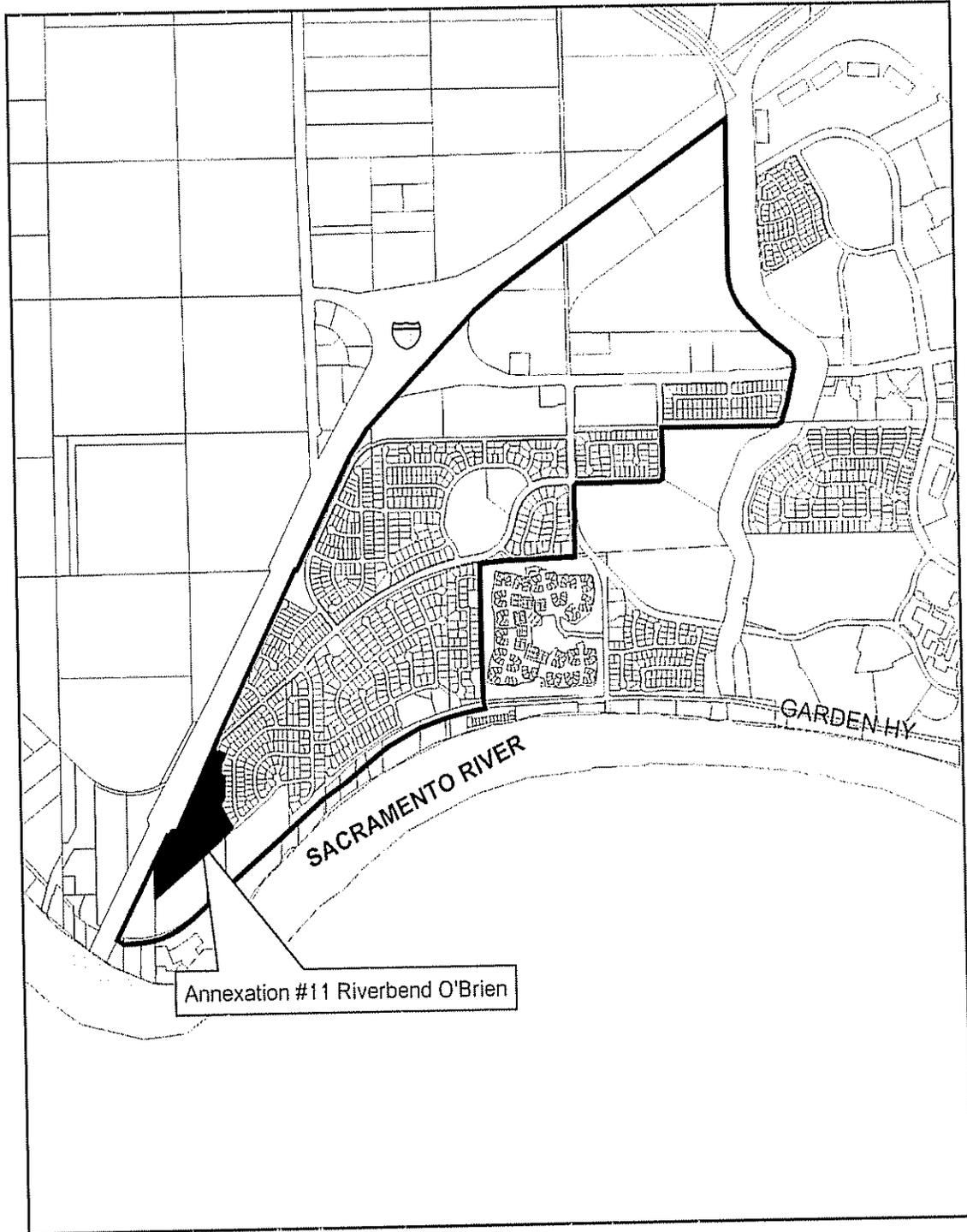
The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to remove sediment and other debris from the storm drainage system. Maintenance work may include, but not be limited to, sediment removal, normal cleaning and inspection of all storm drainage pipes, inlets, manholes and storm Sump 160.

Part #3:

The work described herein is to be carried out on Orchard Lane/River Plaza Drive from its northerly intersection of the Natomas Main Drainage Canal to a point approximately 1,700 feet south of its intersection of West El Camino Avenue, Barandas Drive (formerly known as Road "A"), West River Drive (formerly known as Road "B" & Unity Way) all located within the Willowcreek Assessment District No. 94-03, and the roadways within the Riverbend O'Brien Subdivision located within the Annexation No. 11 to the Willowcreek Maintenance Assessment District No. 98-03:

The work to be performed consists of furnishing all tools, equipment, facilities, labor, materials, supplies and utilities necessary or desirable to mechanically sweep the roadways in order to remove sediment and other debris.

EXHIBIT B-1

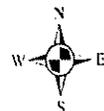


Annexation #11 Riverbend O'Brien



B Mueller 11/21/05
willowcreek_annex_up3.mxd

0 750 1,500 3,000
Feet



Willowcreek Maintenance Assessment District No 98-03
Area of Work

EXHIBIT C

