

RESOLUTION NO. 2001-019

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF JAN 9 2001

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SACRAMENTO PRELIMINARILY APPROVING
AN ENGINEER'S REPORT ON MAINTENANCE
SERVICES IN AND FOR THE
WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03, AS
REVISED TO REFLECT ANNEXATION OF TERRITORY
AND FIXING THE TIME AND PLACE FOR A
PUBLIC HEARING OF PROTESTS TO THE
PROVISION OF MAINTENANCE SERVICES,
THE EXTENT OF THE ASSESSMENT DISTRICT
AND THE LEVY OF THE ASSESSMENT
AND PROVIDING FOR PROPERTY OWNER
BALLOTS FOR SUCH ASSESSMENT DISTRICT
(ANNEXATION NO. 6)**

WHEREAS:

A. The City Council of the City of Sacramento ("City") has heretofore established the City of Sacramento Willowcreek Maintenance Assessment District No. 98-03 ("District") pursuant to the provisions of Title 81 of the Sacramento City Code ("Act").

B. The purpose of the District is to provide an assured source of financing the cost of specified maintenance services ("Services") relating to certain improvements which are installed in and about approved subdivisions by landowners, so as to maintain those improvements in a manner designed to deter deterioration and to improve the quality of life of subdivision residents.

C. As part of the conditions for approval of subdivision maps within the City, landowners are required to annex the property within the subdivision to the District, and City will not approve a final subdivision map without such proceedings having been commenced and completed.

D. Unity Parkside Village LLC, a California limited liability company

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30

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RESOLUTION NO. 2001-019

DATE ADOPTED: JAN 9 2001

("Landowner") has presented a petition to the City requesting that the City commence proceedings for annexation of the land described in Exhibit A, attached hereto and incorporated herein by this reference ("Property"), to the District, pursuant to the provisions of Article XIID of the California Constitution and the Act.

E. Landowner has installed, or will install the improvements specified in Exhibit B, attached hereto and incorporated herein by this reference ("Improvements") in and upon the Property.

F. The maintenance services specified in Exhibit B, attached hereto and incorporated herein by this reference ("Services") are those that will be provided with respect to the improvements specified in Exhibit B, attached hereto and incorporated herein by this reference, to be financed through these proceedings to annex the Property to the District, all of which are authorized as "Maintenance" under the Act.

G. The City Council has heretofore adopted Resolution No. 2001-016, whereunder Landowner's petition to annex territory to the District was accepted, annexation proceedings were initiated, the Director of Public Works was appointed as engineer of record ("Engineer"), and the Engineer was directed to prepare the report required by the Act.

H. The City Council has heretofore adopted Resolution No. 2001-017, whereunder the boundary map, which was duly filed with the City Clerk, was approved.

I. The City Council has heretofore adopted Resolution No. 2001-018, whereunder it declared its intention to order annexation of the Property to the District, and to order the provision of the Services within the annexed territory.

J. The Council, in said resolution, directed the Engineer to prepare and file with the City Clerk the Engineer's report, which report has been duly filed with the Clerk and presented to the Council for consideration and has been fully considered by the Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THAT:

Section 1. The recitals set forth above are true and correct, and the City Council so finds and determines.

Section 2. The Engineer's report is hereby preliminarily approved by the Council, and 2:00 p.m. on Tuesday, March 6, 2001 at the regular meeting place of the Council, City

FOR CITY CLERK USE ONLY


RESOLUTION NO. 2001-019

DATE ADOPTED: JAN 9 2001

Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814, is hereby fixed as the time and place for a public hearing of protests to the annexation of the Property to the District, to the Services to be provided in and for the District, to the extent of said District and to the levy of the assessment which will finance the cost of the Services. Any interested person may object to the annexation of the Property to the District, to the provision of the Services, or to the extent of said District or to the levy of said assessment by filing a written protest with the City Clerk of the City at or before the time set for said public hearing; provided, that each protest must contain a description of the property in which the signer thereof is interested sufficient to identify the same and, if the signers are not shown on the last equalized assessment roll as the owners of such property, must contain or be accompanied by written evidence that such signers are the owners of such property. The City Clerk of the City shall endorse on each protest the date of its receipt and at said time appointed for said hearing shall present to the Council all protests filed with said Clerk's office.

Section 3. The City Clerk is directed to cause a notice to property owners owning property within the area to be annexed (the Property) of the time and place of said public hearing and of the ballot procedure required by Article XIID of the California Constitution (together with the property owner ballots) to be given by mailing notices thereof (together with such ballots) in the time, form and manner provided by law, and upon the completion of the mailing of said notice and said ballots, the City Clerk is directed to file with the Council an affidavit setting forth the time and manner of the compliance with the requirements of law for mailing said notice and ballots. Notice is hereby given that the balloting procedure shall apply only to the owners of the Property which is being annexed to the District. The notice shall be in the form set forth in Exhibit C, attached hereto and incorporated herein by this reference.

Section 4. Ron Wicky, Special Districts Analyst, Department of Public Works, City of Sacramento, 1231 I Street, Room 300, Sacramento, California 95814, telephone (916) 264-5628, is hereby designated to answer inquiries regarding the protest proceedings herein provided for.

ATTEST:

CITY CLERK


MAYOR

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RESOLUTION NO. 2001-019
DATE ADOPTED: JAN 9 2001

32

**EXHIBIT A
DESCRIPTION**

A PORTION OF LOTS 35 AND 36, AS SHOWN ON THAT CERTAIN MAP OF "NATOMAS RIVERSIDE SUBDIVISION NO. 2" ON FILE IN BOOK 15 OF MAPS, MAP NO. 41, IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SACRAMENTO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF "RIVERWALK UNIT NO. 1", AS SHOWN IN BOOK 259 OF MAPS, MAP NO. 3, FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SACRAMENTO; THENCE ALONG THE BOUNDARY OF SAID "RIVERWALK UNIT NO. 1" THE FOLLOWING THIRTY-FIVE (35) COURSES: (1) SOUTH 00°16'13" EAST 144.00 FEET, (2) SOUTH 48°38'40" EAST 154.88 FEET, (3) SOUTH 27°23'43" EAST 89.03 FEET, (4) CURVING TO THE LEFT ON AN ARC OF 475.00 FEET RADIUS, FROM A RADIAL BEARING OF NORTH 32°42'37" WEST, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 55°02'13" WEST 37.34 FEET, (5) CURVING TO THE RIGHT ON AN ARC OF REVERSE CURVATURE WITH AN RADIUS OF 22.00 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 84°38'22" WEST 29.77 FEET, (6) NORTH 42°03'48" WEST 7.00 FEET, (7) SOUTH 47°56'12" WEST 40.00 FEET, (8) SOUTH 42°03'48" EAST 7.00 FEET, (9) CURVING TO THE RIGHT ON AN ARC OF 22.00 FEET RADIUS, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 00°30'46" WEST 29.77 FEET, (10) CURVING TO THE LEFT ON AN ARC OF REVERSE CURVATURE WITH AN RADIUS OF 475.00, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 37°47'13" WEST 87.78 FEET, (11) CURVING TO THE RIGHT ON AN ARC OF REVERSE CURVATURE WITH AN RADIUS OF 22.00 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 75°03'41" WEST 29.77 FEET, (12) NORTH 62°21'45" WEST 7.00 FEET, (13) SOUTH 27°38'15" WEST 40.00 FEET, (14) SOUTH 62°21'45" EAST 7.00 FEET, (15) CURVING TO THE RIGHT ON AN ARC OF 22.00 FEET RADIUS, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 19°47'10" EAST 29.77 FEET, (16) CURVING TO THE LEFT ON AN ARC OF REVERSE CURVATURE WITH AN RADIUS OF 475.00, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 16°24'44" WEST 105.53 FEET, (17) SOUTH 10°02'03" WEST 18.23 FEET, (18) CURVING TO THE RIGHT ON AN ARC OF 22.00 FEET RADIUS, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 55°02'03" WEST 31.11 FEET, (19) NORTH 79°57'57" WEST 7.00 FEET, (20) SOUTH 10°02'03" WEST 40.00 FEET, (21) SOUTH 79°57'57" EAST 7.00 FEET, (22) CURVING TO THE RIGHT ON AN ARC OF 22.00 FEET RADIUS, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 34°57'57" EAST 31.11 FEET, (23) SOUTH 10°02'03" WEST 25.81 FEET, (24) CURVING TO THE LEFT ON AN ARC OF 275.00 FEET RADIUS, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 12°50'50" EAST 213.85 FEET, (25) CURVING TO THE RIGHT ON AN ARC OF REVERSE CURVATURE WITH AN RADIUS OF 22.00 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 07°12'13" WEST 29.97 FEET, (26) SOUTH 50°08'10" WEST 0.77 FEET, (27) CURVING TO THE RIGHT ON AN ARC OF 186.00 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 51°05'43" WEST 6.23 FEET, (28) SOUTH 37°56'44" EAST 40.00 FEET, (29) CURVING TO THE RIGHT ON AN ARC OF 226.00 FEET RADIUS, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 51°07'54" EAST 7.28 FEET, (30) CURVING TO THE LEFT ON AN ARC OF REVERSE CURVATURE WITH AN RADIUS OF 22.00 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 83°14'04" EAST 31.95 FEET, (31) CURVING TO THE RIGHT ON AN ARC OF COMPOUND CURVATURE WITH A RADIUS OF 225.00 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 24°33'35" EAST 94.46 FEET, (32) SOUTH 12°26'32" EAST 16.16 FEET, (33) CURVING TO THE RIGHT ON AN ARC OF 21.83 FEET RADIUS, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 32°06'56" WEST 30.63 FEET, (34) CURVING TO THE LEFT ON AN ARC OF REVERSE CURVATURE WITH A RADIUS OF 3012.93 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 76°36'20" WEST 7.16 FEET, AND (35) SOUTH 13°27'45" EAST 68.00 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID LOT 50; THENCE ALONG SAID SOUTHERLY BOUNDARY CURVING TO THE LEFT ON AN ARC OF 2944.93 FEET RADIUS, FROM A RADIAL BEARING OF NORTH 13°27'45" WEST, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 67°55'21" WEST 882.27 FEET TO THE EASTERLY BOUNDARY OF NATOMAS WEST VILLAGE NO. 2, AS SHOWN ON THE PLAT OF "NATOMAS WEST VILLAGE NO. 2", ON FILE IN BOOK 268 OF MAPS, MAP NO. 5, IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SACRAMENTO; THENCE ALONG SAID BOUNDARY NORTH 00°24'43" WEST 1564.55 FEET; THENCE NORTH 89°47'47" EAST 738.21 FEET; THENCE NORTH 01°11'13" WEST 1.52 FEET TO THE SOUTH LINE OF THE NORTH 95.00 FEET OF SAID LOT 35; THENCE ALONG SAID SOUTH LINE NORTH 89°43'47" EAST 30.44 FEET TO THE POINT OF BEGINNING. CONTAINING 24.472 ACRES MORE OR LESS.

33

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2001-019
DATE ADOPTED: JAN 9 2001

EXHIBIT B

DESCRIPTION OF SERVICES AND OF IMPROVEMENTS TO BE MAINTAINED

ANNEXATION NO. 6 TO THE WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03

The improvement maintenance work (hereafter referred to as the "work") for the Annexation No. 6 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, 1998, 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, Unity Way, Road "A", Road "B" all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Riverwalk Unit No. 2 Subdivision located within the Annexation No. 6 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, Unity Way, Road "A", Road "B" all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Riverwalk Unit No. 2 Subdivision located within the Annexation No. 6 to the Willowcreek Maintenance Assessment District No. 98-03:

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

34

FOR CITY CLERK USE ONLY

RESOLUTION NO. 2001-019

DATE ADOPTED: JAN 9 2001

EXHIBIT C

CITY OF SACRAMENTO

ANNEXATION NO. 6 TO THE WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03

NOTICE TO PROPERTY OWNERS OF THE TIME AND PLACE OF A PUBLIC MEETING ON THE LEVY OF AN ASSESSMENT AND OF THE TIME AND PLACE OF A PUBLIC HEARING OF PROTESTS TO THE MAINTENANCE OF PUBLIC IMPROVEMENTS, THE EXTENT OF AN ASSESSMENT DISTRICT AND THE LEVY OF AN ASSESSMENT AND NOTICE OF THE PROPERTY OWNER BALLOT PROCEDURE FOR THE ASSESSMENT DISTRICT.

NOTICE IS HEREBY GIVEN that on January 9, 2001, the City Council (the "Council") of the City of Sacramento (the "City") duly adopted Resolution No. 2001-018, (the "Resolution of Intention"), wherein it declared its intention to order the maintenance of those certain public improvements more particularly described in Attachment A attached hereto and incorporated herein and made a part hereto under the provisions of the Sacramento City Code Title 81 in and for an assessment district in the City (therein provided for) designated the "City of Sacramento Annexation No. 6 to the Willowcreek Maintenance Assessment District No. 98-03."

NOTICE IS HEREBY FURTHER GIVEN that the Council in and by the Resolution of Intention referred said public improvements to the Director of Public Works of the City as the Engineer of Work in said proceedings and directed the Engineer of Work to prepare and file with the City Clerk of the City a report containing the matters specified in Section 81.02.203 of the City Code of the City of Sacramento, and that the Engineer of Work duly prepared and filed his report dated January 9, 2001, with the City Clerk of the City on January 9, 2001, which report was presented to and was preliminarily approved by the Council by resolution adopted on January 9, 2001.

NOTICE IS HEREBY FURTHER GIVEN that 2:00 o'clock p.m. on Tuesday, March 6, 2001, at the regular meeting place of the Council, City Council Chambers, 2nd Floor, Sacramento City Hall, 915 I Street, Sacramento, California 95814, has been fixed by the Council as the time and place for a public hearing of protests to the maintenance of said public improvements, to the extent of said assessment district and to the levy of said assessment, and that any interested person may object to the maintenance of said public improvements, or to the extent of said assessment district or to the levy of said assessment by filing a written protest with the City Clerk of the City at or before the time set for said public hearing, and all mailed protests should be addressed to the City Clerk, Sacramento City Hall, 915 I Street, Room 304, Sacramento, California 95814. Each protest must contain a description of the property in which each signer thereof is interested sufficient to identify the property and, if the signers are not shown on the last equalized assessment roll as the owners of the property, must contain or be accompanied by written evidence that the signers are the owners of such property. The City Clerk of the City shall endorse on each protest the date of its receipt and at the time appointed for said hearing shall present to the Council all protests filed with her.

35

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2001-019
DATE ADOPTED: JAN 9 2001

NOTICE IS HEREBY FURTHER GIVEN that the total estimated cost of the maintenance of said public improvements is \$11,070.00, which is proposed to be met by the levy of said assessment in said proceedings for fiscal year 2001/2002.

NOTICE IS HEREBY FURTHER GIVEN that the basis on which the amount of such proposed assessment was calculated is more particularly set forth in Attachment B attached hereto and incorporated herein and made a part hereof.

NOTICE IS HEREBY FURTHER GIVEN that, as required by Section 4 of Article XIID of the California Constitution, a Property Owner Ballot has been enclosed with this notice, along with a self-addressed, return envelope by which the ballot may be returned to the City Clerk at her office at the Sacramento City Hall, City of Sacramento, 915 I Street, Room 304, Sacramento, California 95814. This ballot may be used by the owner or owners of any parcel to express either support for or opposition to the proposed assessment, and the ballot may be returned either by mail (which may be done using the enclosed envelope but requires the user to provide the required postage) or by personal delivery, either prior to or at the time of the public hearing of protests on March 6, 2001.


NOTICE IS HEREBY FURTHER GIVEN that, immediately following the close of the public hearing of protests, the returned property owner ballots will be tabulated, both in support of and in opposition to the assessment, with ballots being weighted in accordance with the amount of the proposed assessment, and the results will be announced; provided, that in the event the City Clerk requires opportunity to determine whether any ballot has been properly signed by an owner or authorized representative of an owner, the Council reserves entitlement to continue the matter of announcing results to provide the City Clerk with such opportunity. In the event that ballots in opposition exceed ballots in support, there will be a "majority protest", and the City Council will be precluded from proceeding with the proposed assessment. THIS MEASURE OF MAJORITY PROTEST IS COMPLETELY INDEPENDENT OF THE WRITTEN PROTEST PROCEDURE, WHICH IS DESCRIBED ABOVE.

NOTICE IS HEREBY FURTHER GIVEN that Ron Wicky, Special Districts Analyst, Department of Public Works, City of Sacramento, 1231 I Street, Room 300, Sacramento, California 95814, telephone (916) 264-5628, has been designated to answer inquiries regarding the protest proceedings.

NOTICE IS HEREBY FURTHER GIVEN that the legal records of Sacramento County indicate that you own that certain real property constituting the Sacramento County Assessor's Parcel Number set forth below, and that the amount proposed to be assessed against such parcel, as shown by said report, is set forth below.

For all further particulars concerning said proceedings, reference is hereby made to the Resolution of Intention and to said report, both of which are on file in the office of the City Clerk of the City, Sacramento City Hall, 915 I Street, Sacramento, California 95814, and may be examined at said office by any interested persons.

Dated: January 23, 2001



City Clerk of the City of Sacramento

36

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2001-019
DATE ADOPTED: JAN 9 2001

ATTACHMENT A

ANNEXATION NO. 6 TO THE WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03

The improvement maintenance work (hereafter referred to as the "work") for the Annexation No. 6 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, 1998, 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, Unity Way, Road "A", Road "B" all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Riverwalk unit 2 subdivision located within the Annexation No. 6 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, Unity Way, Road "A", Road "B" all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Riverwalk Unit 2 subdivision located within the Annexation No. 6 to the Willowcreek Maintenance Assessment District No. 98-03:

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

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2001-019
DATE ADOPTED: JAN 9 2001

ATTACHMENT B
ANNEXATION NO. 6 TO THE WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03
ASSESSMENT METHODOLOGY

Water quality issues for the Willowcreek area require that all new residential subdivisions join a maintenance district that would provide services which address and mitigate storm water environmental impacts caused by the subdivision. Since each residential lot within each subdivision in the Willowcreek area (see Attachment B-1) will generate equivalent water quality impacts which must be addressed and receive the same benefit from the maintenance described on Attachment A of this notice, each parcel will share equally in the total cost.

The boundary of the first subdivision map to be approved by City Council will be the boundary of the Willowcreek Maintenance Assessment District. When the remaining subdivisions submit for approval, they will be required to annex to this district.

The following action describes the proposed method of assessing the annual maintenance costs for the Willowcreek Maintenance Assessment District to each parcel in the district in relation to the amount of benefit received. Since each residential parcel receives the same benefit the costs for this district are assessed to each residential parcel within the district boundary.

The costs of maintenance will be spread equally to all residential parcels within the district.

The cost of all incidental expenses, including preparation of Engineer's Report, annual proceedings and district administration, will be spread equally to all residential parcels within the district.

38

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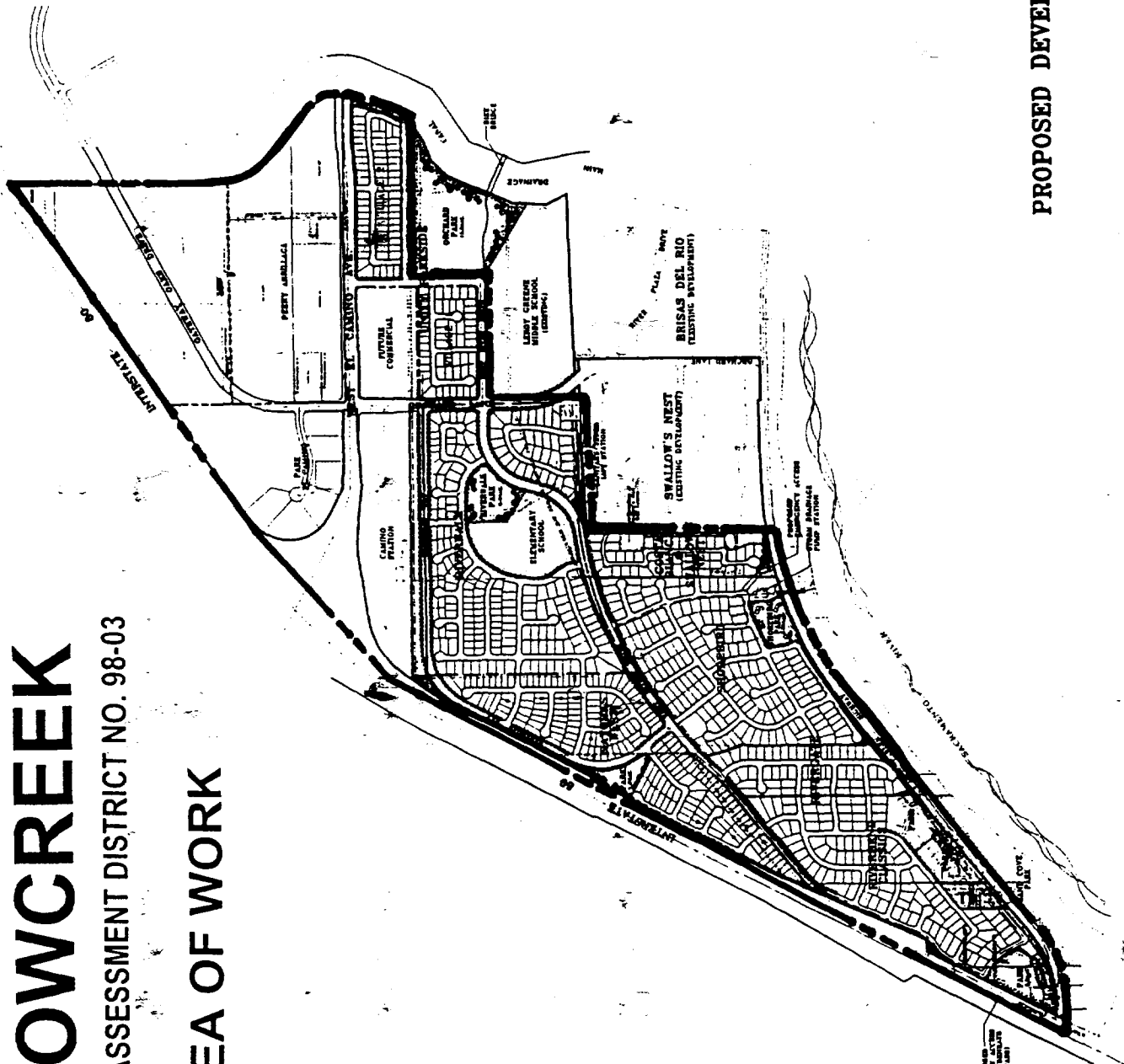
RESOLUTION NO.: 2001-019
DATE ADOPTED: JAN 9 2001

ATTACHMENT B-1

WILLOWCREEK

MAINTENANCE ASSESSMENT DISTRICT NO. 98-03

AREA OF WORK

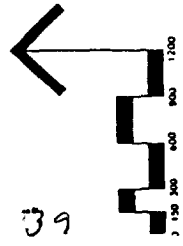


PROPOSED DEVELOPMENTS

February 4, 1999
 November 11, 1998
 April 14, 1998
 November 2, 1997

The Splink Corporation
 1800 HORTON AVE. S.W., MCKINNEY, TEXAS 75069-3002
 PHONE: (972) 941-1000

NOTE:
 THIS SITE PLAN IS FOR PRELIMINARY PLANNING PURPOSES ONLY. ALL
 SITE CHARACTERISTICS WHICH MAY AFFECT FINAL PLAN TO BE VERIFIED.



39

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RESOLUTION NO.: 2001-019
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