

# RESOLUTION NO. 2005-2005-005

Adopted by the Sacramento City Council  
on JAN 06 2005

## Annexation No. 1 to City of Sacramento Assessment District No. 2

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

#### RECITALS:

**A.** The City Council has previously formed the City of Sacramento Assessment District No. 2 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.** 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 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 improvements, maintenance, and service, and as requested by Landowner, the City Council proposes to annex to the district the territory described in Exhibit A.

**D.** By Resolution No. 2005-~~005~~, 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 Interim Manager of Development Engineering and Finance to be the Engineer for purposes of the annexing the territory to the district and levying an assessment to finance the improvements, maintenance, and service 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 article 4 (commencing with Streets and Highways Code section 22565) in chapter 1 of the Streets and Highways Code.

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E. As directed, the Engineer has prepared and filed with the City Clerk (1) a map entitled "Boundaries of Annexation No. 1 to the City of Sacramento Assessment District No. 2 (Citywide Landscaping & Lighting Assessment District)," 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 XIII D of the California Constitution and article 4 (commencing with Streets and Highways Code section 22565) in chapter 1 of the Streets and Highways 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 FOREGOING RECITALS, THE CITY COUNCIL OF THE CITY OF SACRAMENTO RESOLVES AS FOLLOWS:**

**Section 1.** The City Council finds and determines that the recitals set forth above 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.

**HEATHER FARGO**

\_\_\_\_\_  
MAYOR

ATTEST:

SHIRLEY CONCOLINO

\_\_\_\_\_  
CITY CLERK

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ANNEXATION NO. 1 TO CITY OF SACRAMENTO ASSESSMENT DISTRICT NO. 2:  
RESOLUTION APPROVING BOUNDARY MAP AND PRELIMINARILY APPROVING  
ENGINEER'S REPORT

EXHIBIT A

A-1: LEGAL DESCRIPTION OF TERRITORY TO BE ANNEXED

All of Parcel 1 as shown on a Parcel Map, recorded in Book 177 of Parcel Maps, at Page 6, and all of Parcel 1 as shown on the Certificate of Compliance for Lot Line Adjustment, recorded in Book 20040610 of Official Records, at Page 2466, Sacramento County Records, in the City of Sacramento, County of Sacramento, State of California.

EXCEPTING THEREFROM the following described area:

BEGINNING at a point which is the southwest corner of Parcel 1 as shown on said Certificate of Compliance for Lot Line Adjustment; thence along the westerly boundary line of said Parcel 1, North 00° 17' 21" West, a distance of 336.79 feet; thence leaving said westerly boundary line and into said Parcel 1, North 50° 57' 48" East, a distance of 142.35 feet; thence along a non-tangent curve concave to the northwest having a radius of 48.50 feet, and to which a radial line bears South 06° 44' 50" East, northeasterly 48.50 feet, along said curve through a central angle of 57° 17' 50"; thence along a reverse curve concave to the southeast having a radius of 31.50 feet, northeasterly 13.75 feet, along said curve through a central angle of 25° 00' 28"; thence North 50° 57' 48" East, a distance of 309.63 feet; thence along a tangent curve concave to the northwest having a radius of 227.50 feet, northeasterly 48.68 feet, along said curve through a central angle of 12° 15' 40"; thence along a reverse curve concave to the southeast having a radius of 186.50 feet, northeasterly 39.91 feet, along said curve through a central angle of 12° 15' 40" to an interior corner on the easterly boundary line of said Parcel 1; thence along said easterly boundary line, South 00° 01' 30" West, a distance of 435.61 feet to the most southerly southeast corner of said Parcel 1, also being a point of intersection with the centerline of Garden Highway; thence along the southeasterly boundary line of said Parcel 1, also being on the centerline of Garden Highway, South 51° 15' 56" West, a distance of 185.16 feet; thence continuing, along a non-tangent curve concave to the northwest having a radius of 955.37 feet, and to which a radial line bears South 39° 16' 30" East, southwesterly 358.87 feet, along said curve through a central angle of 21° 31' 20" to the POINT OF BEGINNING.

The basis of bearings for this description is the easterly boundary line of Parcel 1 as shown on a Parcel Map recorded in Book 177 of Parcel Maps, at Page 6, in said County. Said line is taken to bear North 00° 17' 25" West.

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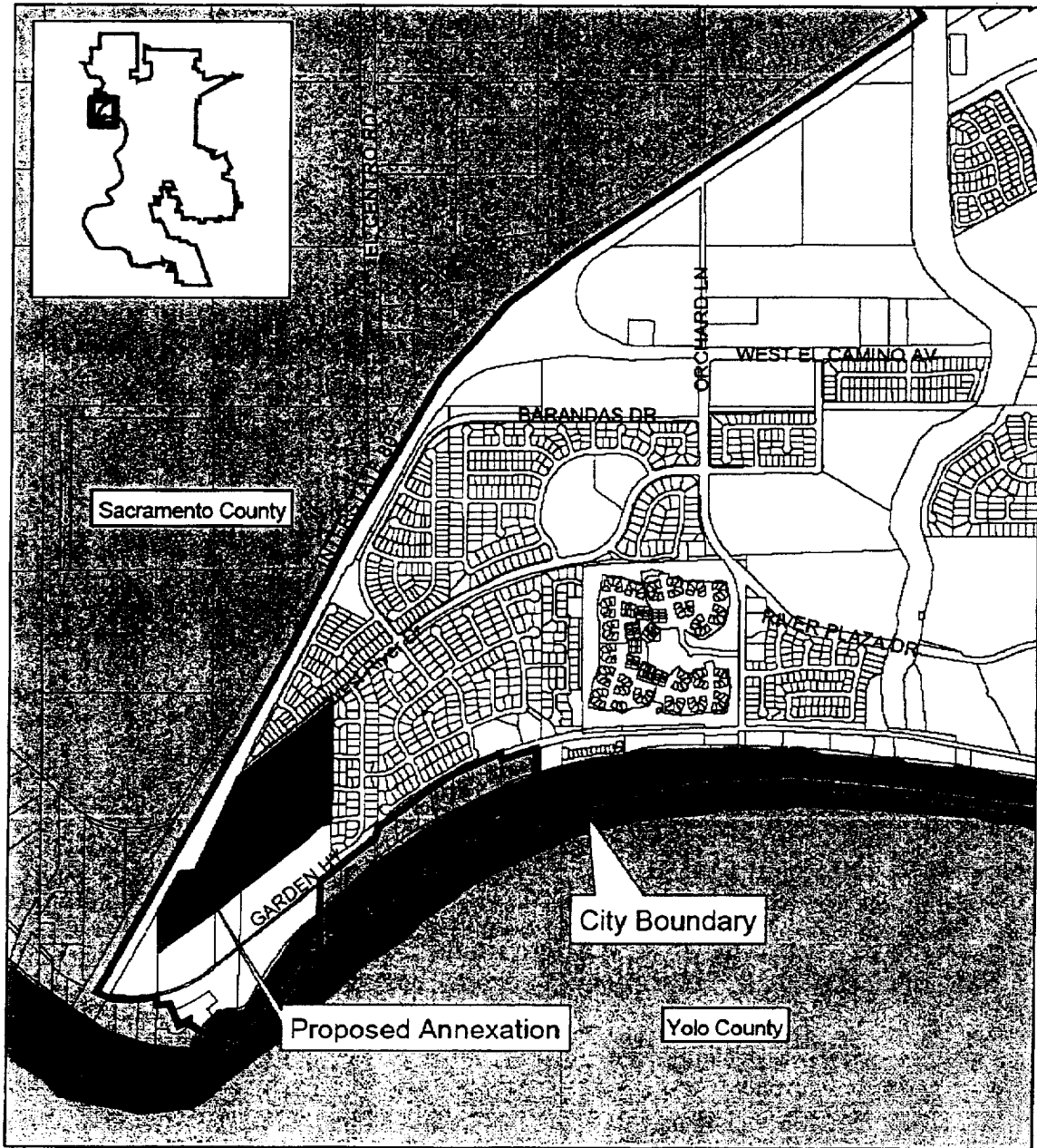
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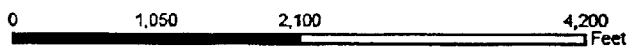
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**A-2: GENERAL DESCRIPTION OF TERRITORY TO BE ANNEXED**



City Of Sacramento  
Development Services  
Department  
Special Districts  
BMueller, 12/08/04



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RESOLUTION APPROVING BOUNDARY MAP AND PRELIMINARILY APPROVING  
ENGINEER'S REPORT

**EXHIBIT B**

**DESCRIPTION OF IMPROVEMENTS, MAINTENANCE, AND SERVICE**

The "improvements" to be installed, constructed, or acquired, and the "maintenance" and "service" to be provided for those improvements, are generally described as follows:

1. *Street-Related Operations and Maintenance*

- (a) City street-light facilities on major streets and at intersections.
- (b) City-maintained landscaping, irrigation facilities, and other appurtenances within or along freeway corridors and public rights-of-way.
- (c) Bikeways, including bikeway bridges and structures.
- (d) Designated streetscaping construction projects.
- (e) Proportional costs of engineering and administrative costs for the district.
- (f) Miscellaneous costs related to streets and allowed under the Landscaping and Lighting Act of 1972.

2. *Neighborhood Street Lighting*

- (a) City street-light facilities designated as neighborhood lighting (typically 100-watt or less lights).
- (b) Replacement of failed street-light electrical conduit and circuits.
- (c) Miscellaneous costs related to any item described in 2(a) or 2(b).

3. *Maintenance of Street Trees.* General care and maintenance of street trees within public rights-of-way.

- (a) Trimming, maintaining, caring for, and replacing street trees within public rights-of-way.
- (b) Planting new street trees within public rights-of-way.
- (c) All costs associated with operating and administering the street-tree maintenance program.
- (d) Miscellaneous work related to caring for and maintaining street trees.

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**4. Bonded Indebtedness for Park Improvements.**

**(a) Capital Improvement Project (CIP) Improvements.**

- (1) Construction and development of City-maintained landscaping, irrigation facilities, and other appurtenances for neighborhood and community parks.
- (2) Construction of greenbelts, linear parkways, and buffer zones on City-owned land.
- (3) Construction of bikeways, including bikeway bridges and structures.
- (4) Miscellaneous costs related to any item described in 4(a)(1), 4(a)(2), or 4(a)(3).

**(b) Common Facilities.**

- (1) Proportional costs of all engineering and administrative costs for the district.
- (2) Miscellaneous costs related to any item described in 4(b)(1).

**5. On-going Park Maintenance, Park Improvements, and Graffiti Abatement.**

**(a) Park Maintenance and Improvements.**

- (1) Construction, care, and development of City-maintained landscaping, irrigation facilities, and other appurtenances for neighborhood and community parks.
- (2) Construction and maintenance of all greenbelts, linear parkways, and buffer zones on City-owned lands.
- (3) Trimming, maintaining, caring for, and replacing trees within City parks.
- (4) Proportional costs of the contingency fund for the district.
- (5) Miscellaneous costs related to any item described in 5(a)(1), 5(a)(2), 5(a)(3), or 5(a)(4).

**(b) Common Facilities. Common facilities are improvements that provide special benefits to all assessed properties.**

- (1) Construction, care, development, and maintenance of City-maintained landscaping, irrigation facilities, and other appurtenances within City regional parks, as well as habitat preservation in designated open spaces.
- (2) Cleaning, sandblasting, and painting walls and other improvements to remove or cover graffiti.
- (3) Proportional costs of all engineering and administrative costs for the district.

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- (4) Miscellaneous costs related to any item allowed under the Landscaping and Lighting Act of 1972 but not specifically listed in 5(b)(1), 5(b)(2), or 5(b)(3).

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The improvements, maintenance, and service to be financed with assessments on assessable lots and parcels within the territory of Annexation No. 1 to the City of Sacramento Assessment District No. 2 are described more specifically in the annual Engineer's Report for the district, on file with the City Clerk at City of Sacramento Interim City Hall, 730 "I" Street, 2nd floor, Sacramento, California.

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