

2005-194

RESOLUTION NO. 2005-_____

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON MAR 23 2005

**RESOLUTION INITIATING PROCEEDINGS TO ANNEX TERRITORY TO THE
NEIGHBORHOOD WATER QUALITY DISTRICT NO. 2003-03 UNDER CHAPTER
3.124 OF THE SACRAMENTO CITY CODE (ANNEXATION NO. 2)**

RECITALS:

- 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. Tim Lewis Communities, Inc., a California corporation ("Landowner"), is the owner of all land within the Buena Park Subdivision. One of the conditions of approval for this subdivision requires the Landowner to annex it to the Neighborhood Water Quality District No. 2003-03. To fulfill this condition, Landowner has presented a petition to the City requesting that the City Council commence proceedings for annexing to the district, in accordance with Chapter 3.124, the land generally described in Exhibit A.
- C. The City has installed or acquired or will subsequently install or acquire, within the Buena Park Subdivision, the public improvements described in Exhibit B (the Improvements). To finance the cost of providing the maintenance services specified in Exhibit B for these improvements (the Services), and as requested by the Landowner, the City Council proposes to annex to the district the territory within the Buena Park Subdivision.

**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 accepts the Landowner's petition requesting that the territory generally described in Exhibit A be annexed to the Neighborhood Water Quality District No. 2003-03. The petition is on file with the City Clerk. Exhibit A is part of this resolution.

Section 3. The City Council proposes to annex the territory generally described in Exhibit A to the Neighborhood Water Quality District No. 2003-03 in accordance with Chapter 3.124 and article XIID of the California Constitution. The territory to be annexed will be designated as Annexation No. 2 to the Neighborhood Water Quality District No. 2003-03.

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Section 4. Exhibit B specifies the Improvements to be maintained and the Services to be provided within the territory to be annexed. Exhibit B is part of this resolution.

Section 5. The Development Engineering & Finance Manager of the Development Services Department is designated as the Engineer for purposes of (a) annexing to the district the territory generally described in Exhibit A, and (b) levying an assessment on property within the annexed territory to finance the Services.

Section 6. The Engineer is directed to prepare and file with the City Clerk a map of Annexation No. 2 to the Neighborhood Water Quality District No. 2003-03 as required by section 3110 of the Streets and Highways Code.

HEATHER FARGO

MAYOR

ATTEST:

SHIRLEY CONCOLINO

CITY CLERK

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EXHIBIT A

GENERAL DESCRIPTION OF TERRITORY TO BE ANNEXED

ALL THAT PORTION OF SECTION 1, TOWNSHIP 7 NORTH, RANGE 4 EAST, M.D.B.& M., BEGINNING AT THE SECTION CORNER COMMON TO SECTIONS 1 AND 12, TOWNSHIP 7 NORTH, RANGE 4 EAST, M.D.B.& M., AND SECTIONS 6 AND 7, TOWNSHIP 7 NORTH, RANGE 5 EAST, M.D.B.& M., SAID CORNER ALSO BEING THE NORTHWEST CORNER OF MEADOWVIEW VILLAGE UNIT NO. 1 RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 49 OF MAPS, MAP NO. 4; THENCE FROM SAID POINT OF BEGINNING ALONG THE SECTION LINE COMMON TO SAID SECTIONS 1 AND 12 AND THE CENTER LINE OF MEADOWVIEW ROAD, A PUBLIC ROAD 80.00 FEET IN WIDTH, SOUTH 89 DEGREES 53 MINUTES 40 SECONDS WEST 1894.39 FEET TO A POINT ON THE EASTERLY LINE OF THAT CERTAIN 62.566 ACRE TRACT OF LAND DESCRIBED IN A DEED RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 3836 OF OFFICIAL RECORDS, PAGE 46; THENCE ALONG THE EASTERLY LINE OF SAID 62.566 ACRE TRACT OF LAND THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) NORTH 00 DEGREES 14 MINUTES 00 SECONDS WEST 1422.20 FEET; (2) NORTH 89 DEGREES 46 MINUTES 00 SECONDS EAST 1068.61 FEET AND (3) NORTH 00 DEGREES 14 MINUTES 00 SECONDS WEST 375.00 FEET TO A POINT ON THE SOUTH LINE OF THAT CERTAIN 16.754 ACRE TRACT OF LAND DESCRIBED IN A DEED TO THE SACRAMENTO CITY UNIFIED SCHOOL DISTRICT OF SACRAMENTO COUNTY, RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 3095 OF OFFICIAL RECORDS, PAGE 383; THENCE ALONG THE SOUTH LINE OF SAID 16.754 ACRE TRACT OF LAND AND THE EASTERLY PRODUCTION THEREOF NORTH 89 DEGREES 46 MINUTES 00 SECONDS EAST 820.93 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 1; THENCE ALONG SAID EAST LINE SOUTH 00 DEGREES 23 MINUTES 16 SECONDS EAST 1801.43 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING FOUR PARCELS:

- (A) ALL THAT PORTION LYING WITHIN THE EXTERIOR BOUNDARIES OF SOUTHFIELD UNIT NO. 1, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY, CALIFORNIA, ON FEBRUARY 28, 1961 IN BOOK 64 OF MAPS, MAP NO. 15.
- (B) ALL THAT PORTION LYING WITHIN THE EXTERIOR BOUNDARIES OF SOUTHFIELD UNIT NO. 2, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY, CALIFORNIA, ON DECEMBER 30, 1964 IN BOOK 76 OF MAPS, MAP NO. 3.
- (C) ALL THAT PORTION OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 7 NORTH, RANGE 4 EAST, M.D.B.& M., DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE CENTER LINE OF MEADOWVIEW ROAD, PUBLIC ROAD 80 FEET IN WIDTH, FROM WHICH SOUTHEAST CORNER OF SOUTHFIELD UNIT NO. 1, AS SHOWN ON THE OFFICIAL PLAT THEREOF, RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 64 OF MAPS, MAP NO. 15, BEARS ALONG SAID CENTER LINE SOUTH 89 DEGREES 53 MINUTES 40 SECONDS WEST 328.02 FEET; THENCE FROM SAID POINT OF BEGINNING PARALLEL WITH THE EAST LINE OF SAID SECTION 1, NORTH 00 DEGREES 23 MINUTES 16 SECONDS WEST 435.60 FEET; THENCE NORTH 89 DEGREES 36 MINUTES 44 SECONDS EAST 200.00 FEET TO A POINT ON A LINE PARALLEL TO SAID EAST LINE OF SECTION 1; THENCE ALONG SAID LINE SOUTH 00 DEGREES 23 MINUTES 16 SECONDS EAST 437.00 FEET TO A POINT IN THE CENTER LINE OF MEADOWVIEW ROAD; THENCE ALONG SAID CENTER LINE SOUTH 89 DEGREES 53 MINUTES 40 SECONDS WEST 200.00 FEET TO THE POINT OF BEGINNING.
- (D) ALL THAT PORTION OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 7 NORTH, RANGE 4 EAST, M.D.B.& M., DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT IN THE CENTER LINE OF MEADOWVIEW ROAD, A PUBLIC ROAD 80 FEET IN WIDTH, FROM WHICH THE SOUTHEAST CORNER OF SOUTHFIELD UNIT NO. 1, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY, CALIFORNIA, IN BOOK 64 OF MAPS, MAP NO. 15, BEARS ALONG SAID CENTER LINE SOUTH 89 DEGREES 53 MINUTES 40 SECONDS WEST 528.02 FEET; THENCE FROM SAID POINT OF BEGINNING, PARALLEL WITH THE EAST LINE OF SAID SECTION 1, NORTH 00 DEGREES 23 MINUTES 16 SECONDS WEST 694.46 FEET; THENCE NORTH 89 DEGREES 36 MINUTES 44 SECONDS EAST 313.26 FEET TO A POINT IN SAID EAST LINE OF SECTION 1; THENCE ALONG SAID EAST LINE, SOUTH 00 DEGREES 23 MINUTES 16 SECONDS EAST 696.00 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 1, BEING ALSO A POINT IN THE CENTER LINE OF MEADOWVIEW ROAD; THENCE ALONG SAID CENTER LINE SOUTH 89 DEGREES 53 MINUTES 40 SECONDS WEST 313.26 FEET TO THE POINT OF BEGINNING.

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EXHIBIT B

DESCRIPTION OF IMPROVEMENTS AND SERVICES

The work described below is to be carried out when the improvements (e.g., landscaping, irrigation systems, post & cable/hand rail, and water quality landscaped basin area) are installed and dedicated to the City. The work will be performed in the Buena Park Subdivision in lots A & B adjacent to Meadowview Road; in lot E adjacent to Addison Way; and in Lot C between Addison way and Meadowview Road, and is more particularly described in plans and specifications approved by the City of Sacramento and on file at the City of Sacramento's Development Engineering and Finance Division of the Development Services Department, 1231 "I" Street, Room 200, Sacramento, California 95814.

The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to maintain the landscaping and irrigation systems. Maintenance work may include but not be limited to periodic mowing of grass, trimming of trees and shrubs, and fertilizing, together with the regular furnishing of water for irrigation of all plant material, and the repair, maintenance, replacement of the post & cable/hand rail, irrigation systems, planted materials, and amenities.

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