

# RESOLUTION NO. 2001-018

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF JAN 9 2001

**A RESOLUTION OF INTENTION TO ANNEX  
TERRITORY TO THE CITY OF SACRAMENTO  
WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03 AND TO  
LEVY AN ASSESSMENT UPON THE ANNEXED PROPERTY  
TO FINANCE THE COST OF MAINTENANCE SERVICES TO  
BE PROVIDED TO THE ANNEXED PROPERTY PURSUANT  
TO TITLE 81 OF THE SACRAMENTO CITY CODE  
(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. Myers Homes of California, LLC, a Nevada limited liability company, ("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

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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 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 also heretofore adopted Resolution No. 2001-019, whereunder the Engineer's report, which was duly filed with the City Clerk, was approved.

**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 City Council hereby declares its intention to annex the Property, as described in Exhibit A, to the City of Sacramento Willowcreek Maintenance Assessment District No. 98-03, and to levy an assessment upon the Property to finance the cost of provision of the Services within the annexed Property, all subject to the procedures required by Article XIID of the California Constitution, and the provisions of the Act.

**Section 3.** The Property within the boundaries hereinafter specified and described is the area to be benefitted by the Services and to be assessed to pay the cost and expenses thereof; that the cost and expenses of the Services shall be made chargeable upon said assessment district; and that the exterior boundaries of said district are hereby specified and described to be as shown on that certain map now on file in the office of the City Clerk of the City approved by that certain resolution adopted by the Council on January 9, 2001, entitled "Boundary Map, Willowcreek Maintenance Assessment District No. 98-03, City of Sacramento, County of Sacramento, State of California", which map indicates by a boundary line the exterior boundaries of the territory included in the District and shall govern for all details as to the extent of said District.

**Section 4.** The improvements as to which the Services are proposed to be provided are specified in Exhibit B. The Services to be provided within the annexed area of the District

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are as specified in Exhibit B.

**Section 5.** The Council hereby determines and notice is hereby given that, subject to Section 5 hereof, a maximum annual assessment of four thousand nine hundred fifty dollars (\$4,950.00) upon each of the several subdivisions of land within the annexed area of the District is proposed to pay costs incurred by the City and not otherwise reimbursed for the administration and collection of the assessments and related work.

**Section 6.** The annual assessment, including the maximum annual assessment, may be increased for inflation. The actual amount of the increase [not to exceed four percent (4%) per annum] shall be computed based on the Consumer Price Index (prior year annual average, San Francisco, All Urban Consumers Index, or a substitute index of a similar nature should the specified index be discontinued).

**Section 7.** The Council hereby determines and notice is hereby given that it is the intention of the Council that penalties shall be added to delinquent assessment installments in accordance with the provisions of Title 81, Chapter 81.04, Section 81.04.402 of the Sacramento City Code.

Heather Fargo  
MAYOR

ATTEST:

Valerie A. Burrows  
CITY CLERK

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## 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.

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## EXHIBIT B

### DESCRIPTON 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.

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