

RESOLUTION NO. 2004-929

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DEC 14 2004

**RESOLUTION OF INTENTION TO ANNEX TERRITORY TO THE
WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03
(ANNEXATION NO. 9); TO ORDER THE PERFORMANCE OF
MAINTENANCE SERVICES WITHIN THE ANNEXED TERRITORY;
AND TO LEVY AN ASSESSMENT WITHIN THE ANNEXED TERRITORY
TO PAY FOR THE SERVICES**

RECITALS:

- A. The City Council has previously formed the Willowcreek Maintenance Assessment District No. 98-03 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 Riverbend Village A Subdivision. One of the conditions of approval for this subdivision requires the Landowner to annex it to the Willowcreek Maintenance Assessment District No. 98-03. To fulfill this condition, Landowner has presented a petition to the city requesting that the city 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 territory generally described in Exhibit A, 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 generally described in Exhibit A.
- D. By Resolution No. 2004-___, and in response to the Landowner's petition, the City Council (1) initiated proceedings to annex to the district the land generally described in Exhibit A; (2) designated the Interim Development Engineering & Finance Manager to be the Engineer for purposes of annexing the land to the district and levying any assessment to finance the Services; and (3) directed the Engineer to prepare and file with the City Clerk a map of the annexed territory, as required by section 3110 of the Streets and Highways Code.
- E. The Engineer has prepared and filed with the City Clerk a map that shows the proposed boundaries of Annexation No. 9 to the Willowcreek Maintenance Assessment District No. 98-03, as directed, and the City Council approved the map by Resolution No. 2004-___.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2004-929

DATE ADOPTED: DEC 14 2004

F. The City Council finds and determines that providing the Services within the boundaries of the annexed territory, as shown on the map filed with the City Clerk, is necessary, convenient, and desirable.

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 declares (a) that it intends to annex the territory generally described in Exhibit A in accordance with Chapter 3.124; (b) that the exterior boundaries of the annexed territory are described in section 3 below; (c) that the Improvements to be maintained and the Services by which they will be maintained are generally described in Exhibit B; (d) that all real property within the annexed territory will be specially benefited by the Services unless the City Council finds and determines otherwise at the public hearing; and (e) that the City Council intends to pay for the Services by levying annual assessments on all specially benefited real property within the annexed territory.

Section 3. Annexation No. 9 to the Willowcreek Maintenance Assessment District No. 98-03 includes all territory within the exterior boundaries shown on the map that (a) was approved by Resolution No. 2004-___; (b) is entitled "Boundary Map, Annexation No. 9 to the Willowcreek Maintenance Assessment District No. 98-03"; and (c) is on file in the City Clerk's office. This map will govern for all details as to the extent of Annexation No. 9 to the Willowcreek Maintenance Assessment District No. 98-03.

Section 4. The City Council determines and gives notice that it proposes a maximum annual assessment of \$108.98 upon each parcel of land within the annexed territory to pay costs incurred by the city and not otherwise reimbursed for the Services and related work and for the administration and collection of the assessments. This maximum is subject to section 5 below.

Section 5. The annual assessment, including the maximum annual assessment specified in section 4 above, may be increased for inflation. The amount of the increase may not exceed 4% a year and will be computed using the prior-year annual average of the Consumer Price Index for the San Francisco-Oakland-San Jose area (All Urban Consumers) or a substitute index of a similar nature should that index be discontinued.

Section 6. The City Council determines and gives notice that penalties will be added to delinquent assessment installments in accordance with section 3.124.260 of the Sacramento City Code.

FOR CITY CLERK USE ONLY

2004-929

RESOLUTION NO.: _____

DATE ADOPTED: _____ DEC 14 2004

Section 7. The Engineer is directed to prepare a written report in accordance with section 3.124.110 of the Sacramento City Code and to file the report with the City Clerk. The report must reflect an assessment for the period of July 1, 2005, to June 30, 2006, in the total amount of \$11,225.

RELATIVES

MAYOR

ATTEST:
SHIRLEY CONCOLINO

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2004-929

DATE ADOPTED: DEC 14 2004

EXHIBIT A

GENERAL DESCRIPTION OF TERRITORY TO BE ANNEXED

All that real property situate in the City of Sacramento, County of Sacramento, State of California, described as follows:

The parcel map entitled "Riverbend – Village A", recorded on June 24, 2003 in Book 177 of Parcel Maps, at Page number 6, records of Sacramento County.

FOR CITY CLERK USE ONLY

2004-929

RESOLUTION NO.: _____

DATE ADOPTED: DEC 14 2004

EXHIBIT B

DESCRIPTION OF IMPROVEMENTS AND SERVICES

The maintenance work (hereafter referred to as the "work") for Annexation No. 9 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 Village A Subdivision located within Annexation No. 9 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 Village A Subdivision located within the Annexation No. 9 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.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2004-929

DATE ADOPTED: DEC 14 2004