

RESOLUTION NO. 2004-029

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF JAN 20 2004

**A RESOLUTION OF INTENTION TO ANNEX
TERRITORY TO THE CITY OF SACRAMENTO
NEIGHBORHOOD LANDSCAPING DISTRICT 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 THE LANDSCAPING AND LIGHTING ACT OF 1972
(ANNEXATION NO. 24)**

WHEREAS:

- A. The City Council of the City of Sacramento ("City") has heretofore established the City of Sacramento Neighborhood Landscaping District ("District") pursuant to the provisions of the Landscaping and Lighting Act of 1972, Streets and Highways Code Section 22500 et seq. ("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. Surjit S. Mahal, an unmarried man ("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

FOR CITY CLERK USE ONLY

RESOLUTION NO: 2004-029

DATE ADOPTED: JAN 20 2004

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 Section 22531 of the Act and "Services" under Section 22538 of the Act.
- G. The City Council has heretofore adopted Resolution No. 2004-027, 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 Article 4 (commencing with Section 22565) of Chapter 1 of the Act.

The City Council has also heretofore adopted Resolution No. 2004-030, whereunder the Engineer's report, which was duly filed with the City Clerk, was preliminarily 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 Neighborhood Landscaping District, 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 benefited 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 20, 2004, entitled "Boundary Map, Neighborhood Landscaping District, 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

FOR CITY CLERK USE ONLY

RESOLUTION NO: 2004-029

DATE ADOPTED: JAN 20 2004

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 are as specified in Exhibit B.

Section 5. The Council hereby determines and notice is hereby given that, subject to Section 6 hereof, a maximum annual assessment of **Three Hundred Fifty and No/100 Dollars \$350.00** 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 with a total annual assessment of **Four Thousand Nine Hundred and No/100 Dollars \$4,900.00** for all lots within the area to be annexed.

Section 6. The annual assessment, including the maximum annual assessment, may be increased for inflation. The actual amount of the increase shall not exceed four percent (4%) per annum and 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 3, Chapter 3.124 of the Sacramento City Code.


MAYOR

ATTEST:


CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO: 2004-029

DATE ADOPTED: JAN 20 2004

EXHIBIT A

LAND ANNEXED TO DISTRICT

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

The subdivision map entitled "Elder Place", recorded on November 17, 2000 in Book 280 of Maps, Map number 1, records of Sacramento County.

FOR CITY CLERK USE ONLY

RESOLUTION NO: 2004-029

DATE ADOPTED: JAN 20 2004

EXHIBIT B

DESCRIPTION OF SERVICES AND OF IMPROVEMENTS TO BE MAINTAINED

The Services to be provided within the area to be annexed to the District are described as follows:

Furnish all tools, equipment, apparatus, facilities, labor, material, supplies and utilities necessary or desirable to maintain and service the landscape improvements as shown on Exhibit B-1, and more particularly described on plans and specifications approved by the City of Sacramento on file at the City of Sacramento, Department of Neighborhood Services, 1231 I Street, Room 400, Sacramento CA 95814.

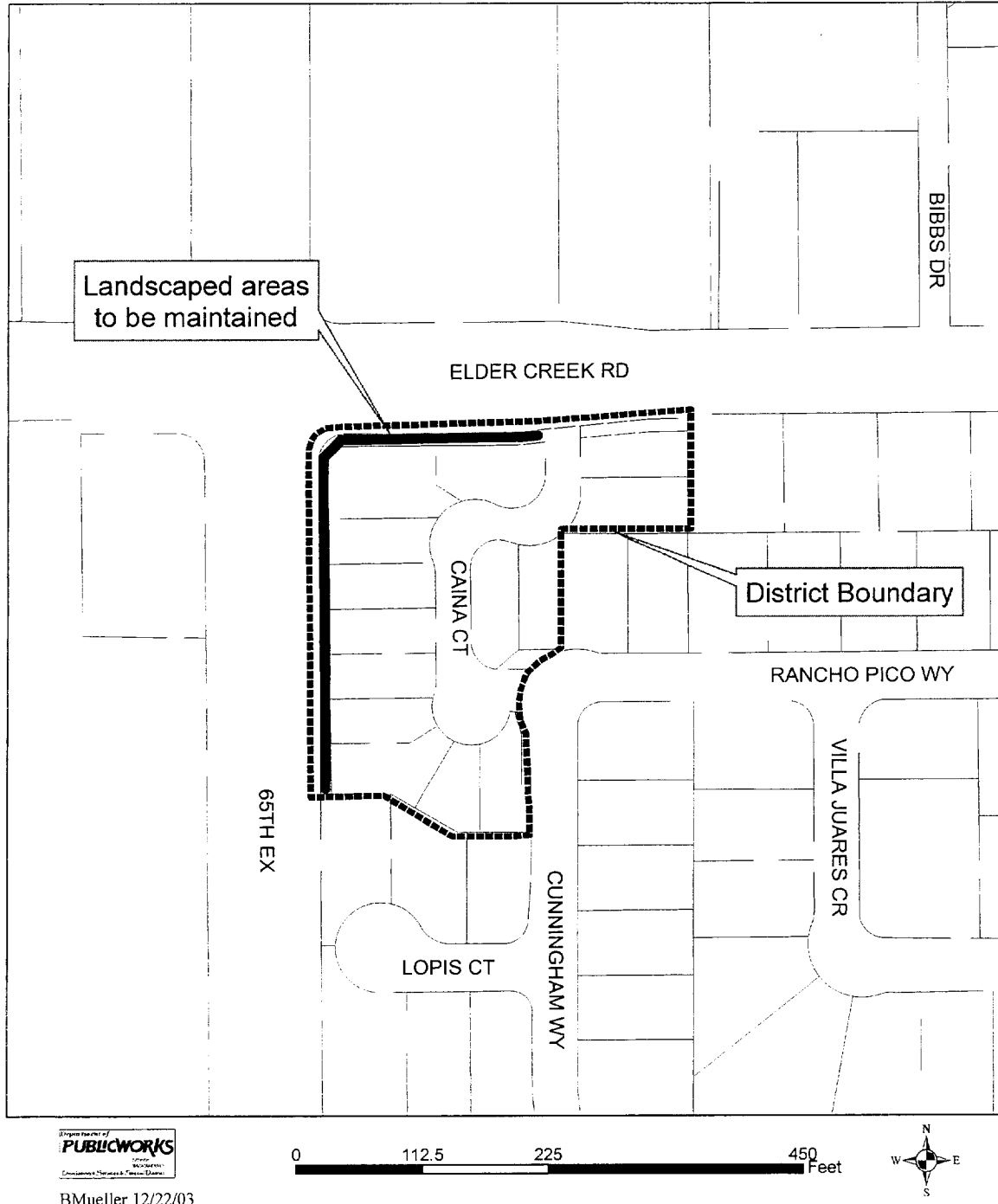
The improvements to be maintained generally consist of masonry walls, landscaping and irrigation systems for the landscape areas within or adjacent to the residential subdivision or subdivisions identified on Exhibit B-1. Maintenance of said improvements shall include, but not be limited to periodic mowing of grass, trimming of trees and shrubs, and fertilizing, together with the regular furnishing of water for irrigation of plant material, and the repair, maintenance and replacement of the irrigation system, planted materials, and amenities. Maintenance of masonry walls includes periodic repair, as may be required.

FOR CITY CLERK USE ONLY

RESOLUTION NO: 2004-029

DATE ADOPTED: JAN 20 2004

EXHIBIT B-1 Landscape Improvements Map



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FOR CITY CLERK USE ONLY

RESOLUTION NO: 2004-029

DATE ADOPTED: JAN 20 2004