

2 RESOLUTION NO. 2009-145

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4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING**  
5 **THE ANNEXATION OF STREET LIGHTING ZONE 93 TO LANDSCAPING AND LIGHTING**  
6 **MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND**  
7 **CONFIRMING THE DIAGRAM AND ASSESSMENT FOR STREET LIGHTING ZONE 93 OF**  
8 **LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED AND**  
9 **LEVYING ASSESSMENTS ON ALL ASSESSABLE LOTS AND PARCELS OF LAND THEREIN**  
10 **FOR THE FISCAL YEAR 2009-10**

11 **WHEREAS**, on February 10, 2009 the Board of Supervisors (hereinafter the "Board of  
12 Supervisors") of the County of Riverside (hereinafter the "County") adopted Resolution No. 2009-023,  
13 pursuant to Section 22608 and Section 22585 et seq. of the Streets and Highways Code, declaring the  
14 intention of the Board of Supervisors to order the annexation of Street Lighting Zone 93 to  
15 Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No.  
16 89-1-C") of the County pursuant to the Landscaping and Lighting Act of 1972, being Part 2  
17 (commencing with Section 22500) of Division 15 of the Streets and Highways Code, and giving notice  
18 of and setting a public hearing for 9:30 a.m. on April 7, 2009 at the meeting room of the Board of  
19 Supervisors and requiring that the notice of the public hearing and assessment ballots be mailed to all  
20 owners of property within Street Lighting Zone 93 as shown on the equalized tax roll; and

21 **WHEREAS**, notice of said public hearing was duly published and mailed as required by  
22 Resolution No. 2009-023, Section 22626 of the Streets and Highways Code and Sections 53753 and  
23 54954.6 of the Government Code and the assessment ballots were timely mailed to all owners of  
24 property within said Street Lighting Zone 93 as shown on the equalized tax roll; and

25 **WHEREAS**, at 9:30 a.m. on April 7, 2009, as set forth in Resolution No. 2009-023, the Board of  
26 Supervisors held a public hearing and afforded all interested persons an opportunity to be heard, and  
27 considered all oral statements and all written protest or communications made or filed by any  
28 interested persons, closed the public hearing and directed the Director of Transportation, or his  
29 designee, as an impartial person having no vested interest in the annexation of Street Lighting

FORM APPROVED COUNTY COUNSEL  
BY *DALE AGARDNER* 4/16/09  
DATE

1 Zone 93 to L&LMD No. 89-1-C as required by Section 53753(e) of the Government Code to tally the  
2 assessment ballots that had been received prior to the close of the public hearing; and

3 **WHEREAS**, the tally of the assessment ballots show that assessment ballots were timely  
4 received from the owner of 2 parcels out of a possible 2 parcels and that 2 parcels (100 percent of the  
5 assessment ballots received) voted in favor of annexation of Street Lighting Zone 93 to L&LMD No.  
6 89-1-C and the levy of an annual assessment in said Street Lighting Zone 93 beginning fiscal year  
7 2009-10; and

8 **WHEREAS**, the Board of Supervisors may proceed, pursuant to Section 22631 of the Streets  
9 and Highways Code, to adopt a resolution confirming the diagram and assessment, either as originally  
10 proposed, or as changed by the Board of Supervisors, and the adoption of such a resolution shall  
11 constitute the levy of an assessment on all assessable lots and parcels of land within Street Lighting  
12 Zone 93 of L&LMD No. 89-1-C beginning fiscal year 2009-10.

13 **NOW, THEREFOR, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the  
14 Board of Supervisors of the County in regular session on May 5, 2009 as follows:

15 **Section 1. Findings.** The Board of Supervisors finds:

- 16 (a) the proceeding recitals are correct;
- 17 (b) compliance has been had with all the requirements of the Landscaping and  
18 Lighting Act of 1972, being Part 2 (commencing with Section 22500) of Division  
19 15 of the Streets and Highways Code, and Sections 53753 and 54954.6 of the  
20 Government Code;
- 21 (c) a majority protest to the annexation of and annual assessment of Street Lighting  
22 Zone 93 of L&LMD No. 89-1-C has not been filed;
- 23 (d) the tally of the assessment ballots timely received was 100 percent voted in  
24 favor of the annexation of Street Lighting Zone 93 to L&LMD No. 89-1-C and the  
25 levy of an annual assessment beginning fiscal year 2009-10, and 0 percent  
26 voted no;

- 1 (e) the Board of Supervisors may proceed to adopt a resolution ordering the  
2 annexation of Street Lighting Zone 93 to L&LMD No. 89-1-C;
- 3 (f) the Board of Supervisors may proceed to adopt a resolution confirming the  
4 diagram and assessment for Street Lighting Zone 93 of L&LMD No. 89-1-C  
5 either as originally proposed or as changed by it; and
- 6 (g) the assessments to be levied on the assessable lots and parcels of land within  
7 Street Lighting Zone 93 of L&LMD No. 89-1-C for the provision of electricity to  
8 all streetlights in said Street Lighting Zone 93 during the fiscal year 2009-10 as  
9 contained in the report of the Director of Transportation which is on file with the  
10 Clerk of the Board of Supervisors (hereinafter the "Report") are based on  
11 benefits derived by such lots and parcels from the availability of such  
12 streetlights, and are not based upon the ownership of such lots and parcels.

13 **Section 2. Annexation.** Street Lighting Zone 93, as proposed to be annexed to  
14 L&LMD No. 89-1-C, includes all the property subject to Parcel Map No. 34020 in the County of  
15 Riverside, State of California as described in Exhibit "A" attached hereto, shall be and is annexed into  
16 L&LMD No. 89-1-C.

17 **Section 3. Improvements.** The improvements authorized for Street Lighting  
18 Zone 93 of L&LMD No. 89-1-C are:

- 19 (a) Providing electricity to all streetlights within the public right-of-way including  
20 incidental costs and expenses.

21 **Section 4. Confirmation of Report.** The Report and the assessment diagram and  
22 the assessment of estimated costs for the provision of electricity to all streetlights in Street Lighting  
23 Zone 93 of L&LMD No. 89-1-C for fiscal year 2009-10 as contained in the Report are confirmed.

24 **Section 5. Levy of Assessment.** Pursuant to Section 22631 of the Streets and  
25 Highways Code the adoption of this resolution constitutes the levy of the assessment for the provision  
26 of electricity to all streetlights in Street Lighting Zone 93 of L&LMD No. 89-1-C during fiscal year

1 2009-10, as contained in the Report, and such assessment is levied. The Clerk of the Board of  
2 Supervisors is directed to file a certified copy of this resolution, together with the diagram and  
3 assessment contained in the Report with the County Auditor-Controller of the County of Riverside,  
4 who, pursuant to Section 22645 of the Streets and Highways Code, shall enter on the County Tax Roll  
5 opposite each lot or parcel of land the amount assessed thereupon, as shown in said assessment.

6 **Section 6. Effective Date.** This Resolution shall take effect from and after its date  
7 of adoption.

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**EXHIBIT "A"**  
**DESCRIPTION OF BOUNDARIES**

The boundaries of Street Lighting Zone 93 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of APN 179-252-015 and 016 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2009-10.

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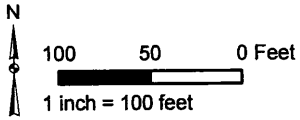
# STREET LIGHTING ZONE 93

PORTION OF SECTIONS 15 & 16, T.2S., R.5W.

PARCEL MAP NO. 34020 - 2 PARCELS

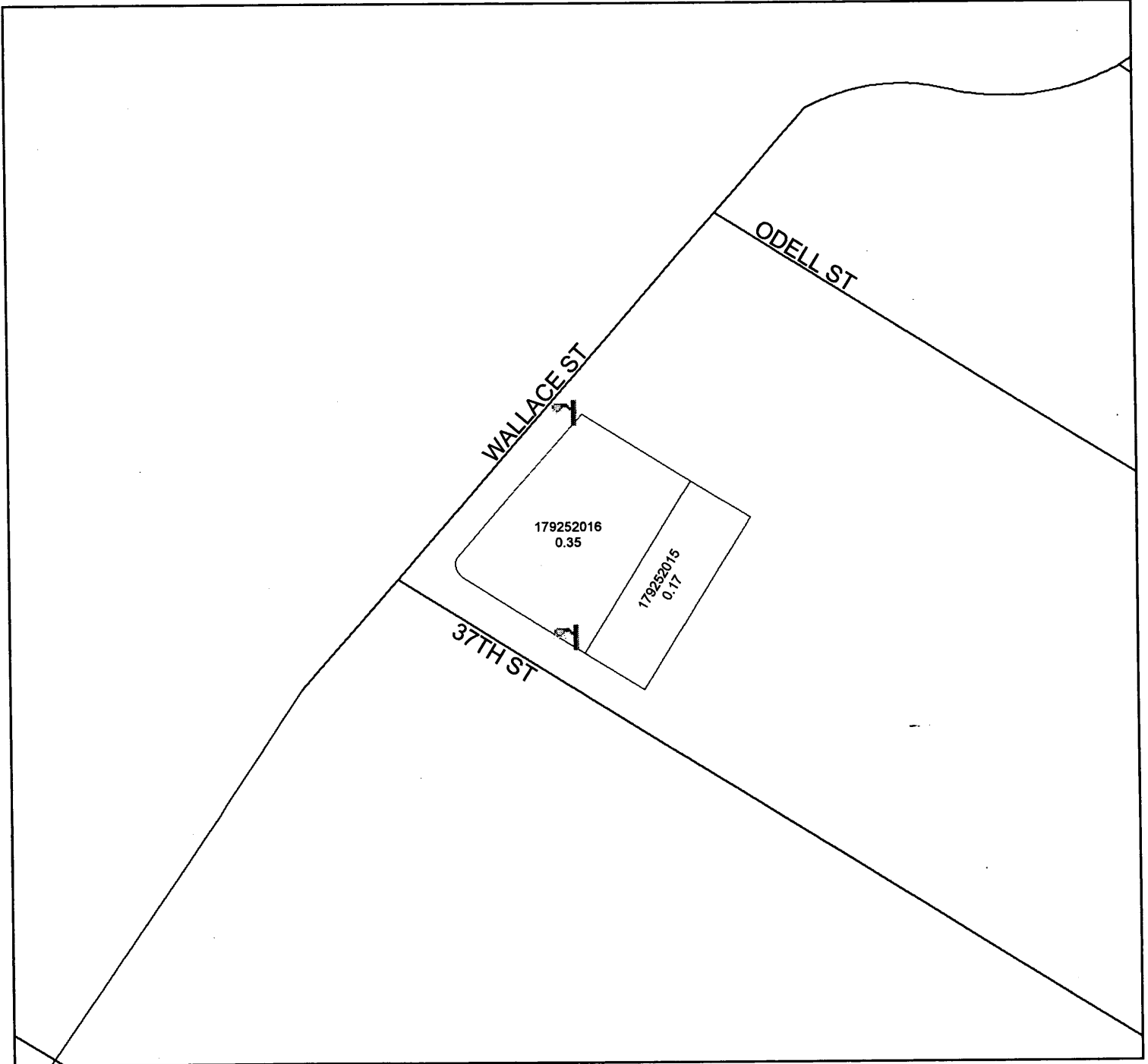


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## ASSESSMENT DIAGRAM

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 DENOTES MAINTAINED STREETLIGHT