

2 RESOLUTION NO. 2009-130

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING
4 PROCEEDINGS FOR THE ANNEXATION OF ZONE 126 TO LANDSCAPING AND LIGHTING
5 MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE
6 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING
7 PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION

8 WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of
9 Riverside (hereinafter the "County") has been advised by the Transportation Department (hereinafter
10 "Department") of the County that said Department has received an application from the owner (the
11 "Applicant") of all the property within the unincorporated area of the County (hereinafter "Zone 126"),
12 as shown and described in Exhibit "A", which is attached hereto and made a part hereof, to be
13 annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter
14 "L&LMD No. 89-1-C") of the County of Riverside, State of California, and the Board of Supervisors has
15 determined that it is necessary and desirable to initiate proceedings for the annexation of Zone 126 to
16 L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with
17 Section 22500) of Division 15 of the Streets and Highways Code (hereinafter, respectively, the "Act"
18 and the "Street and Highways Code"); and

19 WHEREAS, such proceedings shall comply with the requirements of Article XIID of the
20 California Constitution and Section 4000 of the Elections Code requiring voter approval of the
21 proposed assessment to be levied by L&LMD No. 89-1-C for Zone 126; and

22 WHEREAS, the Applicant has executed a "Waiver and Consent Regarding Date of
23 Assessment Ballot Election" allowing for the election to be held on January 12, 2010; and

24 WHEREAS, the Director of the Department, or his designee, is a licensed and registered civil
25 engineer, has expertise with respect to the annexation of territory to landscaping and lighting
26 maintenance districts and the levying of assessments for said purposes and, therefore, is able to serve

FORM APPROVED COUNTY COUNSEL
BY *Quincy A. Gardner* DATE *10/29/09*
QUINCY A. GARDNER

1 as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of Zone 126
2 to L&LMD No. 89-1-C.

3 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the
4 Board of Supervisors of the County of Riverside assembled in regular session on November 24, 2009
5 as follows:

6 **Section 1. Recitals.** The Board of Supervisors hereby finds and determines that all
7 the above recitals are true and correct.

8 **Section 2. Annexation.** The Board of Supervisors proposes to annex Zone 126 to
9 L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to the Act for the
10 purpose of levying an annual assessment on all parcels within Zone 126 to pay the costs of the
11 following services:

- 12 (a) The maintenance and servicing of fossil filters within the public right-of-way
13 including the removal of petroleum hydrocarbons and other pollutants from
14 water runoff.

15 **Section 3. Boundaries and Designation.** The boundaries of Zone 126 that are
16 proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and
17 described in Exhibit "A".

18 **Section 4. Report.** The Director of the Department of the County, or his designee,
19 is hereby designated Engineer and is ordered to prepare and file a report with the Clerk of the Board
20 of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the Streets and Highways
21 Code and Section 4 of Article XIID of the California Constitution regarding said annexation and the
22 levy.

23 **Section 5. Effective Date.** This Resolution shall take effect from and after its date
24 of adoption.