

2 RESOLUTION NO. 2009-306

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4 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING  
5 PROCEEDINGS FOR THE ANNEXATION OF STREET LIGHTING ZONE 97 TO LANDSCAPING  
6 AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF  
7 RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING  
8 PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION

9 WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of  
10 Riverside (hereinafter the "County") has been advised by the Transportation Department (hereinafter  
11 "Department") of the County that said Department has received an application from the owner (the  
12 "Applicant") of all the property within the unincorporated area of the County (hereinafter Street Lighting  
13 "Zone 97"), as shown and described in Exhibit "A", which is attached hereto and made a part hereof, to  
14 be annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter  
15 "L&LMD No. 89-1-C") of the County of Riverside, State of California, and the Board of Supervisors has  
16 determined that it is necessary and desirable to initiate proceedings for the annexation of Street  
17 Lighting Zone 97 to L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2  
18 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter,  
19 respectively, the "Act" and the "Street and Highways Code"); and

20 WHEREAS, such proceedings shall comply with the requirements of Article XIID of the  
21 California Constitution and Section 4000 of the Elections Code requiring voter approval of the  
22 proposed assessment to be levied by L&LMD No. 89-1-C for Street Lighting Zone 97; and

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

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

FORM APPROVED COUNTY COUNSEL  
BY: *Wanda A. Gardner*  
DATE: 09/27/09  
WANDA A. GARDNER

1 as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of Street  
2 Lighting Zone 97 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 Street  
9 Lighting Zone 97 to L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to  
10 the Act for the purpose of levying an annual assessment on all parcels within Street Lighting Zone 97  
11 to pay the costs of the following services:

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

14 **Section 3. Boundaries and Designation.** The boundaries of Street Lighting  
15 Zone 97 that are proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as  
16 shown and described in Exhibit "A".

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

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