

2 RESOLUTION NO. 2012-086

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4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING**
5 **PROCEEDINGS FOR THE ANNEXATION OF ZONE 165 TO LANDSCAPING AND LIGHTING**
6 **MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE**
7 **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 "Zone 165"),
13 as shown and described in Exhibit "A", which is attached hereto and made a part hereof, to be
14 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 Zone 165 to
17 L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with
18 Section 22500) of Division 15 of the Streets and Highways Code (hereinafter, respectively, the "Act"
19 and the "Street and Highways Code"); and

20 **WHEREAS**, such proceedings shall comply with the requirements of Article XIIIID 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 Zone 165; and

23 **WHEREAS**, the Applicant has executed a "Waiver and Consent Regarding Date of
24 Assessment Ballot Election" allowing for the election to be held on June 19, 2012; 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 Shirley Anderson DATE 3/27/12
DATE A. GARDNER

1 as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of Zone 165
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 May 1, 2012 as
5 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 165 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 165 to pay the costs of the
11 following services:

- 12 (a) The maintenance and servicing of landscaping within the public right-of-way
13 including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass,
14 and other ornamental vegetation; and
- 15 (b) The maintenance and servicing of irrigation and electrical facilities associated
16 with the landscaping, including but not limited to electricity for operation of the
17 irrigation system, communication with central irrigation control, and water for
18 irrigation.

19 **Section 3. Boundaries and Designation.** The boundaries of Zone 165 that are
20 proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and
21 described in Exhibit "A".

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

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Section 5. Effective Date. This Resolution shall take effect from and after its date

of adoption.

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 165 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 438-230-027 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2012-13.

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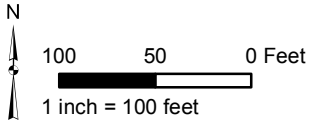
ZONE 165

PORTION OF SECTION 12, T.5S., R.W.
CONDITIONAL USE PERMIT NO. 03622

1 PARCEL

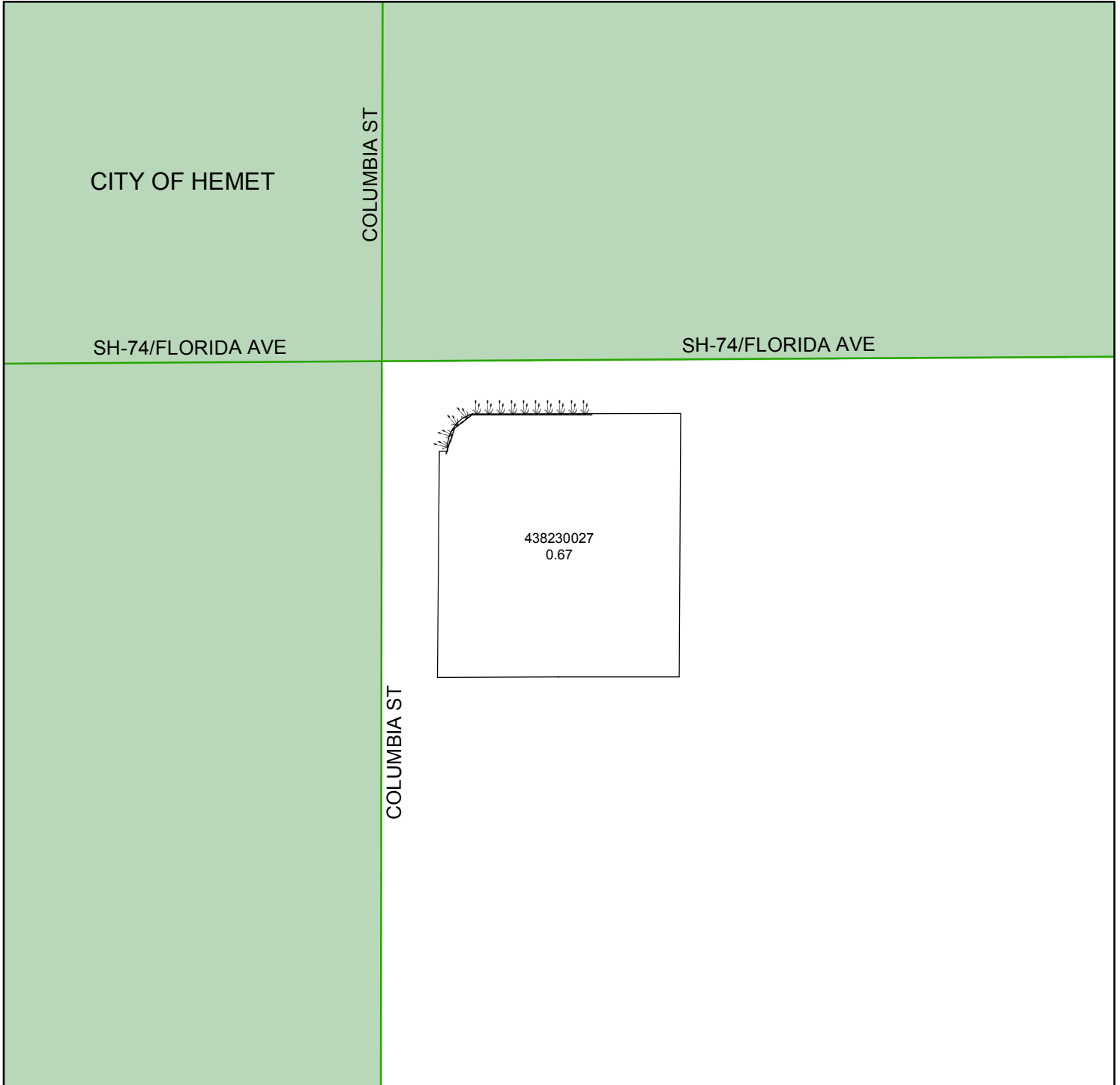


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ASSESSMENT DIAGRAM

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DENOTES DORMANT LANDSCAPED AND MAINTAINED PARKWAY