

Departmental Concurrence

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

856A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
April 30, 2015

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 192 (Woodcrest) District 1 [\$1,887 Annual Base]; L&LMD No. 89-1-C -- 100%

RECOMMENDED MOTION: That the Board of Supervisors adopt the following Resolutions:

1. Resolution No. 2015-068 a Resolution of the County of Riverside initiating proceedings for the annexation of Zone 192 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Zone 192.
2. Resolution No. 2015-069, a Resolution of the County of Riverside declaring its intent to order the annexation of Zone 192 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside pursuant to the Landscaping and Lighting Act of 1972 for the maintenance and servicing of streetlights and traffic signals; adopting the preliminary engineer's report; giving notice of and setting the time and place of the public hearing on the annexation of Zone 192, ordering a mailed ballot election; and directing notice of the public hearing and ballot be mailed pursuant to Article XIID of the California Constitution.

Patricia Romo
Patricia Romo
Assistant Director of Transportation

Juan C. Perez
Juan C. Perez, Director
Transportation and Land Management

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 1,887	\$ N/A	\$ 1,887	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS L&LMD No. 89-1-C – 100%				Budget Adjustment:	N/A
There are no General Funds used in this project.				For Fiscal Year:	15/16

C.E.O. RECOMMENDATION:

APPROVE
BY: *Tina Grande*
County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- ☐ A-30
☐ 4/5 Vote
☐ Positions Added
☐ Change Order

Prev. Agn. Ref.:

District: 1

Agenda Number:

3-42

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 192 (Woodcrest) District 1 [\$1,887]; L&LMD-89-1-C – 100%

DATE: April 30, 2015

PAGE: 2 of 3

BACKGROUND:

Summary

Adoption of Resolution No. 2015-068 appoints the Director of the Transportation and Land Management, or his designee, as the engineer to prepare a report regarding the proposed annexation of Zone 192 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2015-069 declares the Board of Supervisors' intention of ordering the annexation of Zone 192 to L&LMD No. 89-1-C. The annexation of Zone 192 to L&LMD No. 89-1-C will fund the maintenance and servicing of streetlights and traffic signals within public right-of-way located southerly of Van Buren Boulevard and easterly of Washington Street in the Woodcrest area and includes 10 commercial parcels totalling 4.13 acres.

Consistent with the Board of Supervisors' direction regarding compliance with Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, the attached resolutions have been prepared and a public hearing scheduled for 9:30 a.m. on June 30, 2015, to receive testimony for and against the proposed assessment. Each property owner within the proposed Zone 192 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2015-069, and an information sheet.

Ballots must be returned prior to the conclusion of the public hearing. If at the time designated for the tabulation of the ballots, the ballots submitted in favor of the annexation and levy of the assessment exceed the ballots submitted in opposition of said annexation and levy, Zone 192 will be annexed to L&LMD No. 89-1-C.

There is only one individual/entity, which owns all of the property within the proposed boundaries of Zone 192, and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election," allowing for the election and public hearing to be held on June 30, 2015.

Impact on Residents and Businesses

The new assessment is for the purpose of providing the maintenance and servicing of streetlights and traffic signals within public right-of-way.

The property owners within the proposed boundaries of Zone 192, which are represented by Conditional Use Permit No. 03663, as described in the attached Exhibit "A" (a two page exhibit containing a description and diagram), are impacted by the cost of this annexation. The property owners within the proposed boundaries of Zone 192 have petitioned the County of Riverside to annex their property to L&LMD No. 89-1-C and understand that this annexation will result in an assessment on their property to fund the maintenance and servicing of the aforementioned improvements (streetlights and traffic signals).

SUPPLEMENTAL:

Additional Fiscal Information

The proposed budget for fiscal year 2015-16 for Zone 192 is \$1,887.00. This will result in an assessment for fiscal year 2015-16 within Zone 192 of \$411 per acre. The annual assessment may be adjusted annually by the greater of 2% or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers for electricity (CPI-U), if any, as it stands as of March of each year over the base index for March of 2015.

Contract History and Price Reasonableness

N/A

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 192
(Woodcrest) District 1 [\$1,887]; L&LMD-89-1-C – 100%

DATE: April 30, 2015

PAGE: 3 of 3

ATTACHMENTS:

- A. Exhibit A
- B. Resolution No. 2015-068
- C. Resolution No. 2015-069
- D. Engineer's Report

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 192 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 274-040-030 thru 039 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2015-16.

ZONE 192

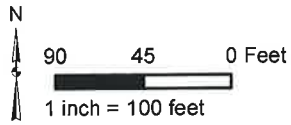
PORTION OF SECTION 25, T.3S., R.5W.

CUP03663

10 PARCELS

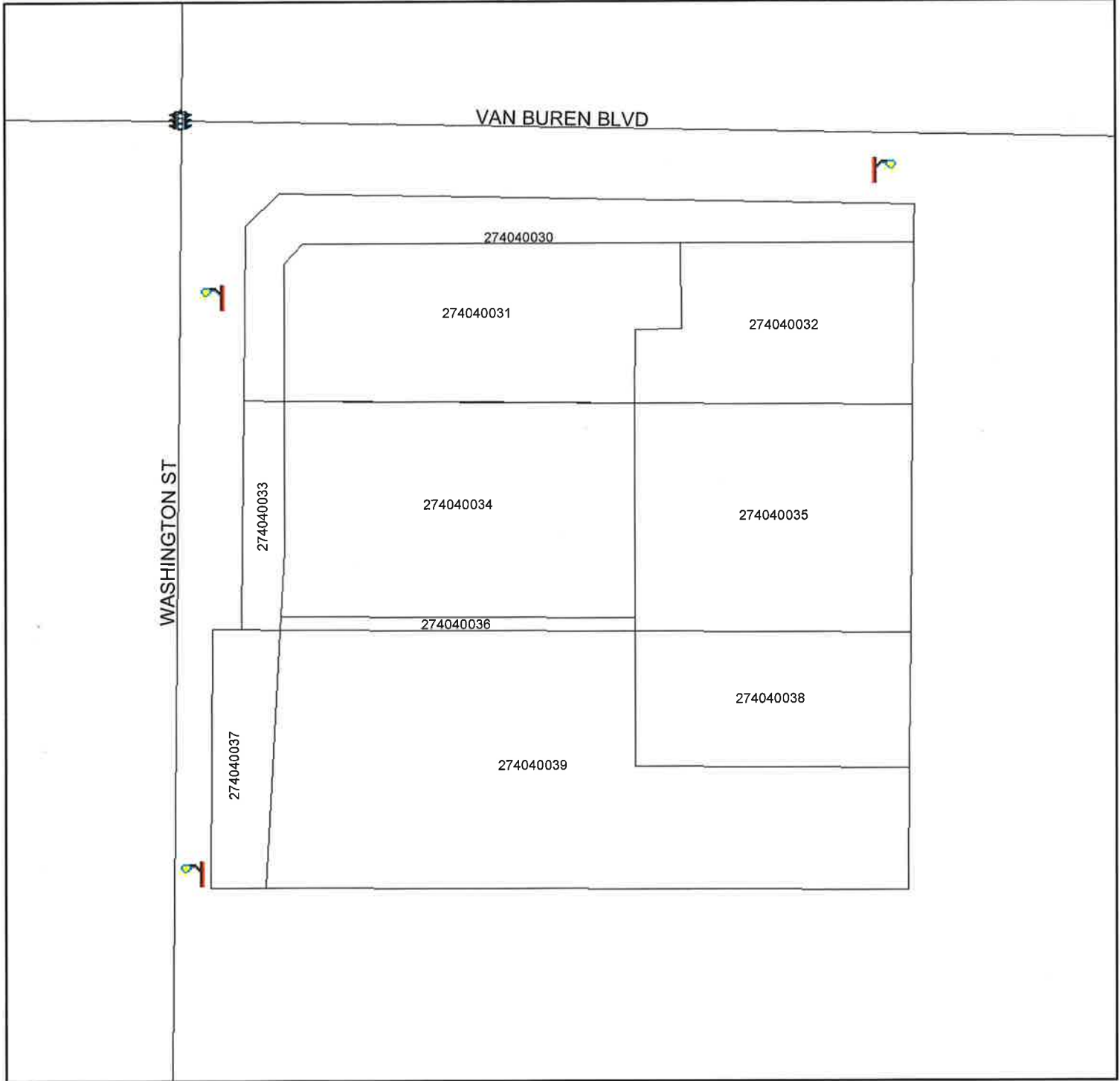


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ASSESSMENT DIAGRAM

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DENOTES MAINTAINED STREETLIGHT



DENOTES MAINTAINED TRAFFIC SIGNAL

RESOLUTION NO. 2015-068

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF ZONE 192 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION

WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") has been advised by the Riverside County Transportation Department (hereinafter "Department") that said Department has received an application from the owner (the "Applicant") of all the property within the unincorporated area of the County (hereinafter "Zone 192"), as shown and described in Exhibit "A", which is attached hereto and made a part hereof, to be annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County of Riverside, State of California, and the Board of Supervisors has determined that it is necessary and desirable to initiate proceedings for the annexation of Zone 192 to L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter, respectively, the "Act" and the "Street and Highways Code"); and

WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California Constitution and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Zone 192; and

WHEREAS, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on June 30, 2015; and

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

1 to serve as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of
2 Zone 192 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 12, 2015 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 192 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 192 to pay the costs of the
11 following services:

- 12 (a) Providing electricity to and the maintenance and servicing of
13 streetlights and traffic signals within the public right-of-way including incidental
14 costs and expenses.

15 **Section 3. Boundaries and Designation.** The boundaries of Zone 192 that are
16 proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and described
17 in Exhibit "A".

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

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

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 192 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 274-040-030 thru 039 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2015-16.

ZONE 192

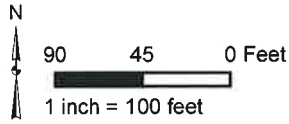
PORTION OF SECTION 25, T.3S., R.5W.

CUP03663

10 PARCELS

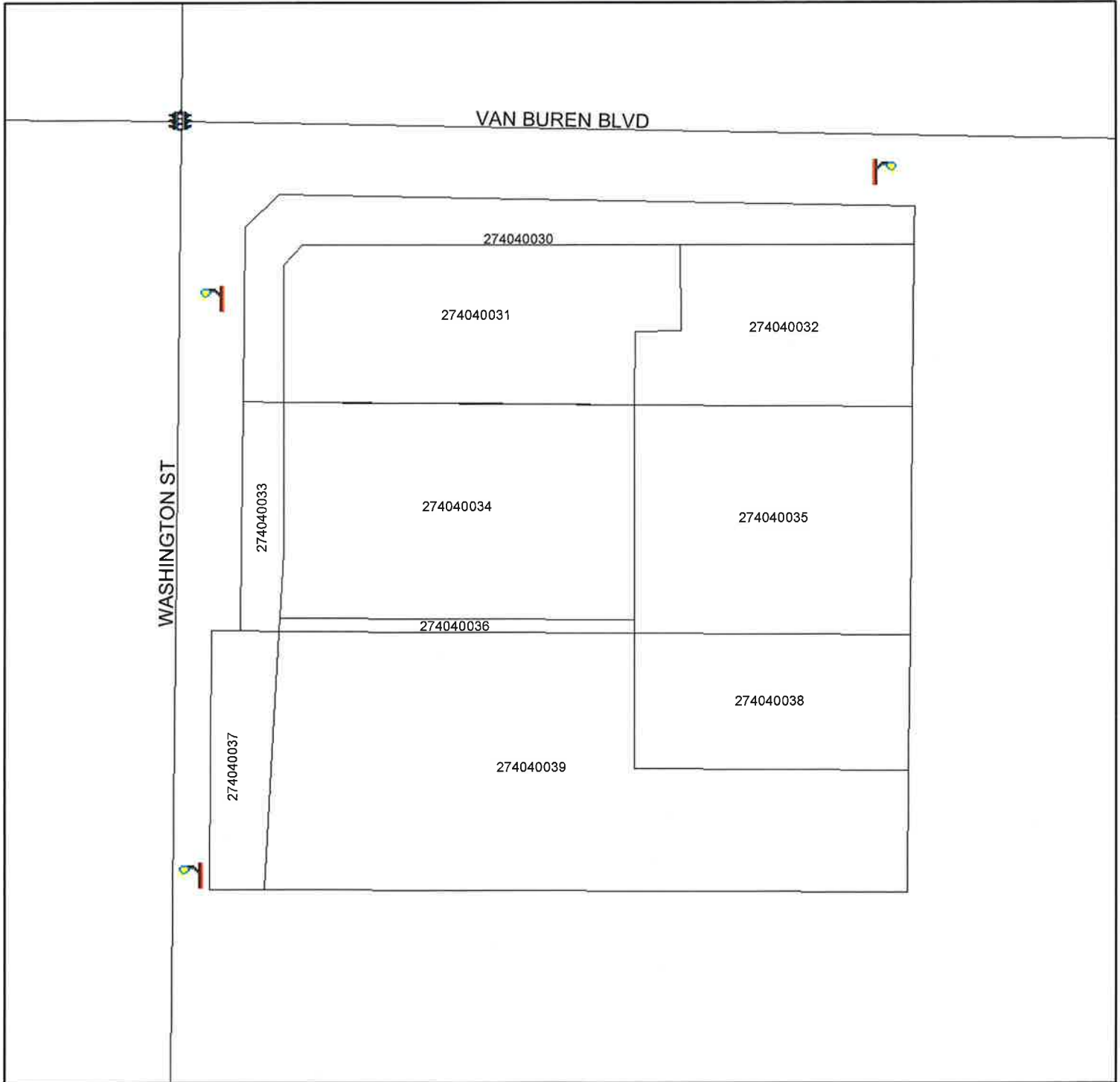


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ASSESSMENT DIAGRAM

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DENOTES MAINTAINED STREETLIGHT



DENOTES MAINTAINED TRAFFIC SIGNAL

RESOLUTION NO. 2015-069

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 192 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF STREETLIGHTS AND TRAFFIC SIGNALS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE THE ANNEXATION OF ZONE 192 ; ORDERING AN ASSESSMENT PROCEEDING; ORDERING A MAILED BALLOT ELECTION; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT TO BE MAILED PURSUANT TO SAID ACT AND ARTICLE XIID OF THE CALIFORNIA CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE

WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") has adopted Resolution No. 2015-068 on May 12, 2015 initiating proceedings for the annexation of Zone 192 (hereinafter "Zone 192"), as described and shown in Exhibit "A", which is attached hereto and incorporated herein, to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside, State of California, (hereinafter "L&LMD No. 89-1-C") pursuant to the Landscaping and Lighting Act of 1972 (hereinafter the "Act"), which is Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter the "Street and Highways Code"), and ordering the preparation of a report (hereinafter the "Report") regarding the proposed annexation of Zone 192 and the assessments to be levied within Zone 192 each fiscal year beginning fiscal year 2015-16 for the maintenance and servicing of streetlights and traffic signals within the public right-of-way within said Zone; and

WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California Constitution (hereinafter "Article XIID:"), the Act, and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Zone 192; and

WHEREAS, the Board of Supervisors by Resolution No. 2015-068 directed the Director of the Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report

FORM APPROVED COUNTY COUNSEL

BY *Dale A. Gardner* 3/30/15
DALE A. GARDNER DATE

1 with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the
2 Street and Highways Code and Section 4 of Article XIID; and

3 **WHEREAS**, said Engineer has filed the Report with the Clerk of the Board of Supervisors and
4 the Report has been presented to and considered by the Board of Supervisors; and

5 **WHEREAS**, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment
6 Ballot Election" allowing for the election to be held on June 30, 2015; and

7 **WHEREAS**, it is necessary that the Board of Supervisors adopt a resolution of intention
8 pursuant to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to
9 Section 22626 of the Streets and Highways Code, of the time and place of a public hearing on said
10 Report, the annexation of Zone 192, and the assessments to be levied on parcels within Zone 192
11 beginning in fiscal year 2015-16;

12 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the
13 Board of Supervisors in regular session assembled on May 12, 2015 as follows:

14 **Section 1. Findings.** The Board of Supervisors, after reviewing the Report, finds that:

- 15 (a) The foregoing recitals are true and correct;
- 16 (b) The Report contains all matters required by Sections 22565 through 22574 of the
17 Streets and Highways Code and Section 4 of Article XIID and may, therefore, be
18 approved by the Board of Supervisors;
- 19 (c) The annual assessment for fiscal year 2015-16 on all parcels within Zone 192 will be
20 \$415 per acre.

21 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the
22 annexation of Zone 192, as described and shown in Exhibit "A", to L&LMD No. 89-1-C, and to levy and
23 collect an annual assessment on all assessable lots and parcels of property within Zone 192
24 commencing with the fiscal year 2015-16 as set forth in the Report. The Report expressly states that
25 there are no parcels or lots within Zone 192 that are owned by a federal, state or other local
26 governmental agency that will benefit from the services to be financed by the annual assessments. The

1 annual assessments will be collected at the same time and in the same manner as property taxes are
2 collected, and all laws providing for the collection and enforcement of property taxes shall apply to the
3 collection and enforcement of said assessments.

4 **Section 3. Boundaries.** All the property within boundaries of Zone 192 is proposed to be
5 annexed to L&LMD No. 89-1-C and shall include that property in the unincorporated area of the County
6 as described and shown in Exhibit "A".

7 **Section 4. Description of Services to be Provided** . The services authorized for Zone 192
8 of L&LMD No. 89-1-C are:

- 9 (a) Providing electricity to and the maintenance and servicing of
10 streetlights and traffic signals within the public right-of-way including incidental costs and
11 expenses.

12 **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that
13 benefits from the annexation of Zone 192 to L&LMD No. 89-1-C will be \$411 per acre for fiscal year
14 2015-16. As stated in the Report, the total budget for Zone 192 for the fiscal year 2015-16 is \$1,877.00;
15 there is 1 parcel that is to be assessed that aggregates to 4.13 acres. Each succeeding fiscal year the
16 special assessment may be subject to an annual adjustment that is the greater of two percent (2%) or
17 the cumulative percentage increase, if any, in the Consumer Price Index for all Urban Consumers for
18 electricity ("CPI-U") for the Los Angeles-Riverside-Orange County California Standard Metropolitan
19 Statistical area ("Index") published by the Bureau of Labor Statistics of the United States Department of
20 Labor. The annual CPI-U adjustment will be based on the cumulative increase, if any, in the "Index" as
21 it stands on March of each year over the base Index for March of 2015. Any increase larger than the
22 greater of 2% or the CPI-U annual adjustment requires a majority approval of all the property owners in
23 Zone 192. The Board of Supervisors will levy the assessment in each subsequent fiscal year until the
24 Board of Supervisors undertakes proceedings for the dissolution of Zone 192 of L&LMD No. 89-1-C.
25 The annual assessment will fund the services described in Section 4 of this Resolution. For further
26

1 particulars, reference is to be made to the Report on file in the Office of the Clerk of the Board of
2 Supervisors.

3 **Section 6. The Property to be Annexed.** The property to be annexed to L&LMD No.
4 89-1-C is Zone 192. The boundaries of Zone 192 are located within the unincorporated area of the
5 County and are described and shown in the Report and Exhibit "A".

6 **Section 7. Report.** The Report, which is on file with the Clerk of the Board of Supervisors
7 and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to
8 the Report for a full and detailed description of the services, the boundaries of Zone 192, and the
9 annual assessment to be levied upon assessable lots and parcels within Zone 192 proposed to be
10 annexed to L&LMD No. 89-1-C.

11 **Section 8. Public Hearing.** The question of whether Zone 192 shall be annexed to L&LMD
12 No. 89-1-C and an annual assessment levied beginning with fiscal year 2015-16 shall be considered at
13 a public hearing (hereinafter the "Public Hearing") to be held on June 30, 2015, at 9:30 a.m. at the
14 meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1st Floor, Riverside,
15 California.

16 **Section 9. Majority Protest.** Each owner of record of property within Zone 192 is to receive
17 by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIID and
18 Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the
19 Public Hearing. The agency shall not impose an assessment if there is a majority protest. A majority
20 protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment
21 exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the ballots shall be
22 weighted according to the proportional financial obligation of the affected property.

23 **Section 10. Information.** Any property owner desiring additional information regarding
24 Zone 192 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Brigitte
25 Hahn, Senior Engineering Technician, Transportation Department of the County of Riverside, 4080
26

1 Lemon Street, 8th Floor, Riverside, California, 92501, or by telephone at 951-955-6263, or by e-mail at
2 bhahn@rctlma.org.

3 **Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the
4 annexation of Zone 192 to L&LMD No. 89-1-C shall be given consistent with Section 22626 of the
5 Streets and Highways Code and Section 4 of Article XIID. The Clerk of the Board of Supervisors shall
6 give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in
7 an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is June 30,
8 2015. Publication of this Resolution is to be effected by the Clerk of the Board of Supervisors. Notice
9 shall also be given by mailing first-class, postage prepaid, those notices, as prepared by County
10 Counsel, assessment ballot and information sheets as required by Section 4 of Article XIID and
11 Section 4000 of the California Elections Code to all owners of record of property within Zone 192 as
12 shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and
13 deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on June 30,
14 2015.

15 **Section 12 Effective Date.** This Resolution shall take effect from and after its date of
16 adoption.

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 192 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 274-040-030 thru 039 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2015-16.

ZONE 192

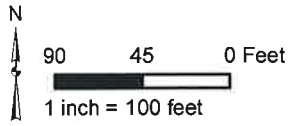
PORTION OF SECTION 25, T.3S., R.5W.

CUP03663

10 PARCELS

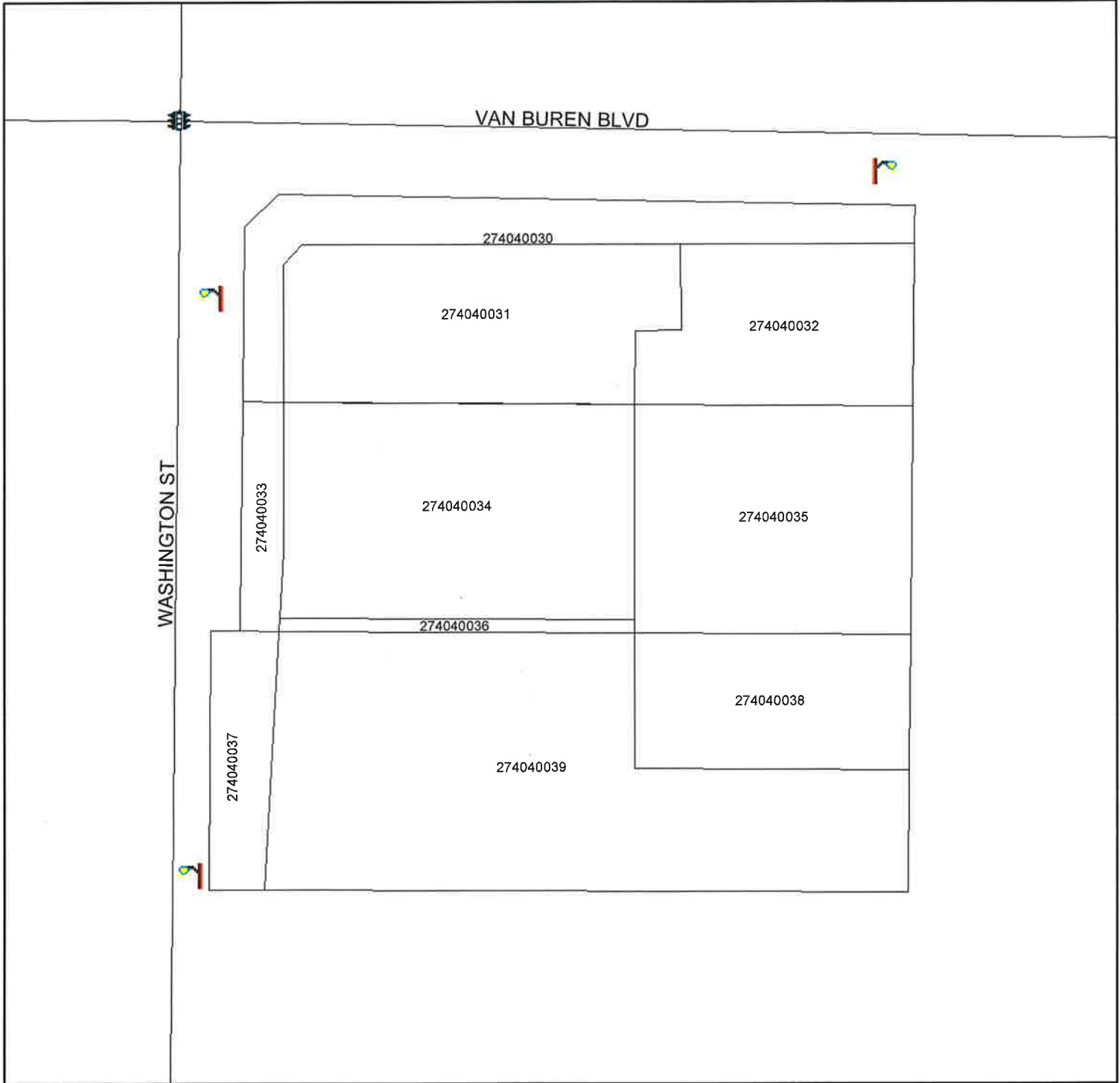


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ASSESSMENT DIAGRAM

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DENOTES MAINTAINED STREETLIGHT



DENOTES MAINTAINED TRAFFIC SIGNAL

COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT



ENGINEER'S REPORT FOR **Landscaping & Lighting Maintenance** **District No. 89-1-Consolidated** **Zone 192** **CUP 03663**

Prepared by
Psomas
1500 Iowa Ave., Ste. 210
Riverside, CA 92507
(951) 787-8421

April 2015

AGENCY: COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT

**PROJECT: ANNEXATION OF CONDITIONAL USE PERMIT 03663 TO LANDSCAPING
AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED AS
ZONE 192**

**TO: BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA**

ENGINEER'S REPORT

Pursuant to the provisions of Section 22565 through 22574 of the Landscaping and Lighting Act of 1972 ("1972 Act"), said act being Part 2 of Division 15 of the Streets and Highways Code of the State of California, Section 4 of Article XIII(D) of the California Constitution, and direction from the Board of Supervisors of Riverside County, California, I submit herewith the following Engineer's Report ("Report").

This Report provides for the annexation of Conditional Use Permit 03663 ("CUP 03663") to Landscape & Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C") as Zone 192 ("Zone 192") and establishes the Maximum Assessment to be levied in the 2015–2016 Fiscal Year (from July 1, 2015 to June 30, 2016) and all subsequent fiscal years, for this area to be known and designated as:

**L&LMD NO. 89-1-C Zone 192
CUP 03663**

I do hereby assess and apportion the total amount of the costs and expenses upon several parcels of land within said designated area liable therefore and benefited thereby, in proportion to the estimated benefits that each parcel receives, respectively, from said services.

NOW, THEREFORE, I, the appointed ENGINEER, acting on behalf of the County of Riverside Transportation Department, pursuant to the 1972 Act, do hereby submit the following:

Pursuant to the provisions of law, the costs and expenses of Zone 192 have been assessed upon the parcels of land in Zone 192 benefited thereby in direct proportion and relation to the estimated benefits to be received by each of said parcels. For particulars as to the identification of said parcel, reference is made to the Assessment Diagram, a reduced copy of which is included herein.

As required by law, an Assessment Diagram is filed herewith, showing Zone 192, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within Zone 192 as the same exist, each of which subdivisions of land into lots or parcels, respectively, have been assigned a lot or parcel number and/or Assessor

Parcel Number within a specific tract/commercial development and indicated on said Assessment Diagram and in the Assessment Roll contained herein. Assessor Parcel Numbers as shown on said Assessment Diagram as of the date of this Report, correspond with the numbers assigned to each parcel by the Riverside County Assessor. Reference is made to the Assessor Parcel Map for a description of the lots or parcels and their respective dimensions.

As of the date of this Report, there are no lots or parcels within Zone 192 that are owned by a federal, state or other local governmental agency that will benefit from the services to be provided by the assessments to be collected.

DATED this 14th day of April, 2015



PSOMAS

A handwritten signature in black ink, appearing to be "S. Frieson", written over a horizontal line.

STEVEN B. FRIESON
PROFESSIONAL CIVIL ENGINEER 42110
ENGINEER OF WORK
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

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EXECUTIVE SUMMARY

A. Introduction

Pursuant to the provisions of law, the costs and expenses of Zone 192 have been assessed upon the parcels of land in Zone 192 benefited thereby in direct proportion and relation to the estimated benefits to be received by each of said parcels. For particulars as to the identification of said parcel, reference is made to the Assessment Diagram, a reduced copy of which is included herein. WHEREAS, on this 12th of May, 2015 the Board of Supervisors of the County of Riverside ("Board"), State of California, ordering the preparation of the Engineer's Report ("Report") providing for the annexation of Conditional Use Permit 03663 ("CUP 03663") to Landscape & Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C") as Zone 192 ("Zone 192"), pursuant to the provisions of the Landscaping and Lighting Act of 1972 ("1972 Act"), being Division 15 of the Streets and Highways Code of the State of California, did adopt Resolution No. 2015-068 for a special assessment district zone known and designated as:

Zone 192 CUP 03663

The annexation of Zone 192 includes all parcels of land within the commercial development known as CUP 03663, also identified by the following Assessor Parcel Number(s), which are valid as of the date of this Report:

274040030-2	274040035-7
274040031-3	274040036-8
274040032-4	274040037-9
274040033-5	274040038-0
274040034-6	274040039-1

As required by law, an Assessment Diagram is filed herewith, showing the Zone 192, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said Zone 192 as the same exist, each of which subdivisions of land into lots or parcels, respectively, have been given a lot or parcel number and/or Assessor Parcel Number within a specific tract map/parcel map and indicated on the Assessment Diagram and in the Assessment Roll contained herein. Psomas submits this Report, for the annexation of said Zone 192 and the establishment of the Maximum Assessment to be levied and collected commencing Fiscal Year 2015-2016 and all subsequent fiscal years, consisting of five parts.

PART I

Plans and Specifications: This section contains a description of Zone 192's boundaries and the proposed improvements within Zone 192. Zone 192 shall consist of a benefit zone encompassing all of the properties within the commercial development known as CUP 03663.

The proposed improvements described in this Report are based on the current development and improvement plans provided to Psomas as of the date of this Report. Improvement plans ("Plans") include (1) Riverside County Transportation Department Conditions of Approval for Conditional Use Permit 03663; and (2) Street Light Improvement Plans for Conditional Use Permit 03663 IP No. 140051, approved by Riverside County Oversight Engineer dated 1/9/2015.

PART II

The Method of Apportionment: A narrative of the property benefits from the improvements and the method of calculating each property's proportional special benefit and annual assessment. The proposed initial Maximum Assessment and assessment range formula established for Zone 192 is based on the Plans and estimated annual costs and expenses associated with all improvements to be accepted and maintained by Zone 192 at build-out. At build-out there will be three streetlights and one traffic signal to maintain and service. The Initial Maximum Assessment may be adjusted by the greater of two percent, the cumulative percentage increase in the Consumer Price Index for all Urban Consumers (CPI-U) for All Items, or the CPI-U for Electricity (as applicable) for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical Area ("Index") published by the U.S. Department of Labor's Bureau of Labor Statistics (BLS), if any. The annual CPI-U for All Items or CPI-U for Electricity (as applicable) adjustment will be based on the cumulative increase, if any, in the Index as it stands on March 1st of each year over the base Index of 2015. The initial Maximum Assessment established within Zone 192 shall be \$1,887. Zone 192 includes seven assessable lots or parcels and three non-assessable lots or parcels.

PART III

The Cost Estimate: An estimate of the cost of the streetlight and traffic signal maintenance including incidental costs and expenses in connection therewith for Fiscal Year 2015–2016, is as set forth on the lists thereof, attached hereto.

PART IV

Assessment Diagram: The Assessment Diagram shows the parcels of land included within the boundaries of Zone 192. For details concerning the lines and dimensions of the applicable Assessor's Parcel Numbers, refer to the County Assessor's Maps as of the date of this Report.

PART V

Assessment Roll: A listing of the Assessor's Parcel Numbers, and the initial Annual Assessment per lot or parcel to be applied on the tax roll for Fiscal Year 2015–2016.

B. Assessment Zone

The services to be provided by L&LMD No. 89-1-C Zone 192 generally includes local street lighting and one traffic signal. The annexation of CUP 03663 to L&LMD No. 89-1-C as Zone 192 will provide the financial mechanism (annual assessments) by which the ongoing operation and maintenance of these services will be funded. Zone 192's structure, proposed services, method of apportionment and assessments described in this Report are based on the Plans provided to Psomas as of the date of this Report, including all estimated direct expenditures, incidental expenses, and reserves associated with the maintenance, energizing and servicing of the streetlights and traffic signal as indicated in the Plans.

PART I – PLANS AND SPECIFICATIONS

A. Description of the Assessment Zone

Zone 192 is located within the unincorporated area known as Woodcrest in the County of Riverside, State of California and is comprised of CUP 03663. The area for CUP 03663 is generally located north of Krameria Avenue, south of Van Buren Boulevard, east of Washington Street, and west of Gardener Avenue. CUP 03663 includes seven assessable commercial lots and three non-assessable lots. Zone 192 consists of all subdivisions of land into lots or parcels located in the following development area(s):

- CUP 03663 – Assessor Parcel Number(s) as of the date of this Report:

274040030-2	274040035-7
274040031-3	274040036-8
274040032-4	274040037-9
274040033-5	274040038-0
274040034-6	274040039-1

B. Description of Improvements and Services For Landscape & Lighting Maintenance District No. 89-1-C

The following services were authorized pursuant to County of Riverside Board of Supervisors approved Resolution No. 94-389 for L&LMD No. 89-1-C:

- L&LMD No. 89-1-C will annually levy an assessment on property within its boundaries to pay the cost of the following services and improvements:
 - The installation and planting of landscaping, including trees, shrubs, grass and other ornamental vegetation;
 - The installation or construction of statuary, fountains and other ornamental structures and facilities;
 - The installation or construction of public lighting facilities including but not limited to, traffic signals;
 - The installation or construction of any facilities which are appurtenant to any of the foregoing, or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, water irrigation, drainage or electrical facilities, and,
 - The maintenance or servicing, or both of any of the foregoing.

C. Description of Services for Landscape & Lighting Maintenance District No. 89-1-C Zone 192

The services to be funded by L&LMD No. 89-1-C Zone 192 include the maintenance and servicing of public lighting facilities, specifically streetlights and one traffic signal within the commercial development designated as CUP 03663 on public rights-of-way known as:

- Van Buren Boulevard
- Washington Street

PART II – METHOD OF APPORTIONMENT

A. Benefit Analysis

The proposed improvements, the associated costs, and assessments have been carefully reviewed, identified, and allocated based on special benefit.

Street lighting and traffic signals are the responsibility of L&LMD No. 89-1-C Zone 192.

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, which include the construction, maintenance, and servicing of public lights, landscaping, dedicated easements for landscape use, and appurtenant facilities. The 1972 Act further provides that assessments may be apportioned upon all assessable lot(s) or parcel(s) of land within an assessment district in proportion to the estimated benefits to be received by each lot or parcel from the improvements rather than assessed value.

“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.”

The formula used for calculating assessments reflects the composition of the parcels and the improvements and services provided by Zone 192 to fairly apportion the costs based on the estimated benefit to each parcel. Any lot or parcel that is dedicated to or used for right of way, easement or common area (“Exempt Property”), if any, within Zone 192 is specifically excluded from the apportionment calculation and are exempt from assessment.

In addition, Article XIII(D) of the California Constitution (“Article”) requires that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. The Article provides that only special benefits are assessable, and the County must separate the general benefits from the special benefits conferred on a parcel. A special benefit is a particular and distinct benefit over and above general benefits conferred on the public at large, including real property within the district. The general enhancement of property value does not constitute a special benefit.

Special Benefit

The streetlight and traffic signal improvements within Zone 192 provide direct and special benefit to the lots or parcels within Zone 192. Therefore, the maintenance of these improvements also provides direct and special benefit by maintaining the functionality of the improvements and allowing the improvements to operate in a proper manner.

Each and every lot or parcel within the Zone 192, receives a particular and distinct benefit from the improvements over and above general benefits conferred by the improvements. First, the improvements were conditions of approval for the creation or development of the parcels. In order to create or develop the parcels, the County required the original developer to install streetlights and a traffic signal and to guarantee the maintenance of the streetlights, traffic signal and appurtenant facilities serving the lots or parcels. Therefore, each and every lot or parcel within the proposed Zone 192 could not have been developed in the absence of the installation and expected maintenance of these facilities.

In addition, the improvements continue to confer a particular and distinct special benefit upon parcels within Zone 192 because of the nature of the improvements. The proper maintenance of streetlights and the traffic signal specially benefit parcels within Zone 192 by improving neighborhood property protection, increased traffic safety by improving visibility, control and restriction of traffic into and out of the development by defining a specific path, and providing an enhanced quality of life and sense of well-being for properties within Zone 192. Streetlights also provide safety for pedestrians and motorists living and/or owning property in Zone 192 during the nighttime hours, and to assign rights-of-way for the safety of pedestrians and motorists by defining a specific path during all hours of the day.

Streets are constructed for the safe and convenient travel of vehicles and pedestrians. They also provide an area for underground and overhead utilities. These elements are a distinct and special benefit to all developed parcels in Zone 192. Streetlights are installed on and are for street purposes and are maintained and serviced to allow the street to perform to the standards it was designed.

Streetlights are determined to be an integral part of "streets" as a "permanent public improvement." One of the principal purposes of fixed roadway lighting is to create a nighttime environment conducive to quick, accurate, and comfortable seeing for the users as well as a sense of safe motoring and pedestrian experience of traffic egress and ingress into the facility. These factors, if attained, combine to improve traffic safety and achieve efficient traffic movement. Fixed lighting can enable the motorist to see detail more distinctly and to react safely toward roadway and traffic conditions present on or near the roadway facility.

The system of streets within Zone 192 is established to provide access to each parcel in Zone 192. Streetlights provide a safer street environment for owners of the parcels served. If the parcels were not subdivided to provide individual parcels to owners within Zone 192, there would be no need for a system of streets with streetlights. Therefore, the installation of streetlights is for the express, special benefit of the parcels within Zone 192.

Finally, the proper maintenance of streetlights, the traffic signal and appurtenant structures, provides an enhanced quality of life and sense of well-being for properties within Zone 192.

Based on the benefits described above, streetlights and the traffic signal are an integral part of the quality of life of Zone 192. This quality of life is a special benefit

to those parcels with a commercial land use within Zone 192 and do not include government owned easements, utility easements, and flood channel parcels. Government-owned easement, utility easement and flood channel parcels do not benefit from the improvements due to their use and lack of habitation on such parcels. Parcels of this nature are usually vacant narrow strips of land or flood control channels and therefore do not generate or experience pedestrian or vehicular traffic. Nor do these types of parcels support dwelling units or other structures that would promote frequent use of the parcels by the traveling public. As a result of this lack of activity on such parcels they do not receive any benefit from streetlights and are not assessed.

Because the properties consist of varying lot or parcel sizes, some of which will not support independent commercial development unless combined with other parcels, and have limited accessibility, future changes in number and configuration of parcels is foreseen. The benefit of the services provided by Zone 192 by any parcel configuration would be proportional to the lot size. Therefore, the proportionate share of the costs and expenses for the maintenance and servicing of the streetlights and traffic signal are apportioned on a per acreage basis for all benefiting parcels within Zone 192.

SPECIAL BENEFITS OF LANDSCAPE & LIGHTING MAINTENANCE DISTRICT NO. 89-1-C STREET LIGHTING ZONE 192 AUTHORIZED SERVICES:

The special benefits of street lighting are the provision of energy, convenience, safety, security of property, improvements and goods. This includes the following:

- Enhanced deterrence of crime such as vandalism and other criminal activities which would reduce damage to improvements or property.
- Improved visibility to assist police in the protection of property.
- Increased nighttime safety on roads and streets by reducing nighttime accidents and personal property loss.
- Improved traffic circulation.
- Improved ability to see for pedestrians and motorists.
- Improved visibility for ingress and egress to the property.

The special benefits of traffic signals are the provision of traffic control and restriction, convenience, safety, security of property, improvements and goods. This includes the following:

- Increased daytime and nighttime safety on roads and streets by reducing accidents and personal property loss.
- Improved ability of pedestrians and motorists to drive and walk safely.
- Improved ingress and egress to the property.
- Improved traffic circulation.

General Benefit

The total benefit from the works of improvement is a combination of the special benefits to the parcels within Zone 192 and the general benefits to the public at large and to adjacent property owners. A portion of the total maintenance costs for streetlights and the traffic signal, if any, associated with general benefits will not be assessed to the parcels in Zone 192, but will be paid from other Riverside County Funds. Because the streetlights improvements are located immediately adjacent to properties within Zone 192 and are maintained solely for the benefit of the properties within Zone 192, any benefit received by properties outside of Zone 192 is nominal. Therefore, the general benefit portion of the benefit received from the streetlight improvements for Zone 192 is zero. However, the traffic signal improvement provides general and specific benefit to Zone 192. It has been determined that the costs and expenses for the traffic signal improvements for Zone 192 at the intersection of Van Buren Boulevard and Washington Street are 15% of the County's total maintenance cost. The percentage was derived from the budget prepared by Riverside County Transportation Department. Therefore, only the costs directly related to the specific benefit of the traffic signal improvements will be assessed to Zone 192.

The benefits received by each parcel within Zone 192 would be proportional to the lot size. Therefore, the proportionate share of the costs and expenses for the maintenance and servicing of the streetlights and traffic signal are apportioned on a per acreage basis for all benefiting parcels within Zone 192.

B. Maximum Assessment Methodology

The following methodology was previously adopted by the Riverside County Board of Supervisors in the annual Engineer's Report approved on November 29, 1994. Such methodology has been maintained in preparation of this Report. The purpose of establishing a Maximum Assessment formula is to provide for reasonable increases and inflationary adjustments to annual assessments without requiring costly noticing and mailing procedures, which would add to Zone 192 costs and assessments.

The Maximum Assessment formula shall be applied to all assessable parcels of land within Zone 192. For Zone 192, the initial Maximum Assessments for Fiscal Year 2015–2016 are as follows:

- The initial Maximum Assessment established within Zone 192 shall be \$1,887.

The initial Maximum Assessment is subject to an annual inflator starting in Fiscal Year 2016–2017. The initial Maximum Assessment may be adjusted by the greater of two percent, the cumulative percentage increase in the CPI-U for All Items, or CPI-U for Electricity Index (as applicable) published by the BLS, if any. The annual CPI-U for All Items or CPI-U for Electricity (as applicable) adjustment will be based on the cumulative increase, if any, in the Index as it stands in March of each year over the base Index of 2015.

The Maximum Assessment is adjusted annually and is calculated independent of the Zone 192's annual budget and proposed annual assessment. The proposed annual assessment applied in any fiscal year is not considered to be an increased assessment if it is less than or equal to the Maximum Assessment amount. In no case shall the annual assessment exceed the Maximum Assessment.

The Maximum Assessment is designed to establish a reasonable limit on Zone 192 assessments. The Maximum Assessment calculated each year may require an increase to the annual assessment. However, the Initial Maximum Assessment per Acre may not increase except by escalation and, as parcel configuration changes occur, the assessment per parcel will adjust according to each parcel's acreage.

To impose an increased assessment, the County of Riverside must comply with the provisions of the Constitution Article XIII(D) (Section 4c), that requires a public hearing and certain protest procedures including mailed notice of the public hearing and property owner protest balloting. Through the balloting process, property owners must approve the proposed assessment increase. If the proposed assessment is approved, then a new Maximum Assessment is established for Zone 192. If the proposed assessment is not approved, the County may not levy an assessment greater than the adjusted Maximum Assessment previously established for Zone 192.

C. Annual Assessment

The Method of Apportionment of the Assessment is based upon the relative special benefit derived from the improvements and conferred upon the assessable real property within Zone 192 over and above general benefit conferred upon the assessable real property within Zone 192 or to the public at large. The benefits received by each parcel within Zone 192 would be proportional to the lot size. Therefore, the proportionate share of the costs and expenses for the maintenance and servicing of the streetlights and traffic signal are apportioned on a per acreage basis for all benefiting parcels within Zone 192. Any Exempt Property within Zone 192 is specifically excluded from the apportionment calculation and are exempt from assessment.

The Assessment per Assessable Parcel within Zone 192 is calculated by dividing the total Annual Balance to Levy by the Net Assessable Acres, the quotient of which is multiplied times the acreage of each parcel that is not Exempt. Total Zone 192 acres less Exempt Property acres, if any, equals Net Assessable Acres. The Annual Balance to Levy is the Total Annual Street Lighting, Traffic Signal, and Fossil Filter Costs as seen in Part III – Cost Estimate.

The Assessment Rate per Acre is calculated as follows:

Total Zone 192 Acres	5.21
Less: Exempt Property Acres	.62
Net Assessable Acres	4.59

Annual Balance to Levy	\$1,887		
Net Assessable Acres	4.59	=	\$411 Assessment Rate per Acre

The Assessment per Assessable Parcel for FY 2015-2016 is calculated as follows:

$$\text{Assessment Rate per Acre} \times \text{Acreage of each parcel that is not Exempt} = \text{Annual Assessment per Assessable Parcel.}$$

PART III – COST ESTIMATE

L&LMD NO. 89-1-C ZONE 192 CUP 03663 FOR FISCAL YEAR 2015–2016¹

Cost Description	Total Costs for Zone 192 ²	Cost per Acre ^{2,3}
Traffic Signal at the intersection of Van Buren Boulevard at Washington Street 15% of \$5,500 per Traffic Signal	\$825	\$180
Annual Energy Charge of \$219 per street light For 3 Street Lights - 200 Watt 22,000 lumen HPSV ⁴	657	143
Maintenance Total	\$1,482	\$323
Administrative Costs	187	41
Operating Reserve Contribution	46	10
Administration Total	\$233	\$51
Subtotal: Annual Street Lighting and Traffic Signal Costs	\$1,715	\$374
10% Contingency	172	37
Total Annual Street Lighting and Traffic Signal Costs	\$1,887	\$411

Initial Maximum Assessment⁵	\$1,887
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¹ Zone 192 Proposed Budget is based on information provided in the Plans.

² All costs were rounded up to whole dollars.

³ Based on 4.59 Net Assessable Acres which is subject to change based on future parcel configuration.

⁴ HPSV means high pressure sodium vapor.

⁵ The initial Maximum Assessment may be adjusted by the greater of two percent, the cumulative percentage increase in the CPI-U for All Items, or the CPI-U for Electricity (as applicable) Index published by the BLS.

PART IV - Zone 192 ASSESSMENT DIAGRAM

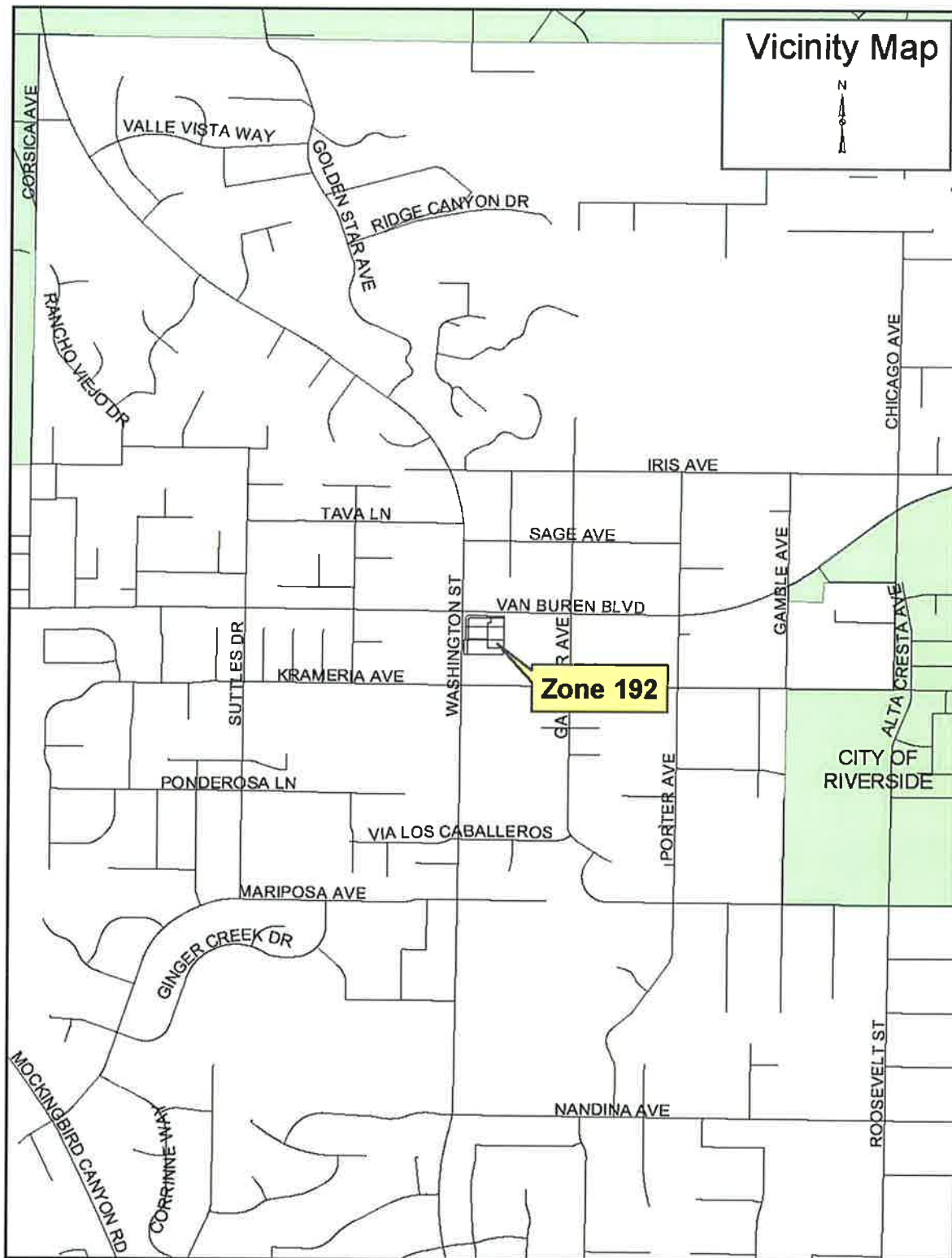
FISCAL YEAR 2015–2016 L&LMD NO. 89-1-C ZONE 192

The Assessment Diagram for Zone 192 by this reference is incorporated and made a part of this Report. Only the parcels identified within the Zone 192 Assessment Diagram are within said boundary.

If any parcel submitted for collection is identified by the County Auditor Controller to be an invalid parcel number for the current fiscal year, a corrected parcel number and/or new parcel number will be identified and resubmitted to the County Auditor Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate approved in this Report. Therefore, if any parcel has changed subsequent to the date of this Report, the assessment amount applied to all parcels within Zone 192 shall be recalculated and applied according to the approved method of apportionment.

Information identified on this Assessment Diagram was received from Riverside County Transportation Department.

The Zone 192 Assessment Diagram identifying the boundaries of parcels within CUP 03663 in L&LMD No. 89-1-C Zone 192 is included in this Report for reference on the following page. For details concerning the lines and dimensions of the applicable Assessor's Parcel Numbers, refer to the County Assessor's Maps as of the date of this Report.



PART V – ASSESSMENT ROLL

Parcel identification for each parcel or lot within Zone 192 shall be the parcel as shown on the Riverside County Secured Roll for the year in which this Report is prepared and reflective of the Assessor's Parcel Maps. Zone 192 includes the following Assessor Parcel Number(s) as of the date of this Report:

274040030-2	274040035-7
274040031-3	274040036-8
274040032-4	274040037-9
274040033-5	274040038-0
274040034-6	274040039-1

Based on the parcel configuration within Zone 192 as of the date of this Report, the initial Maximum Assessment for each parcel is as follows:

**L&LMD NO. 89-1-C ZONE 192
CUP 03663
PROPOSED FISCAL YEAR 2015–2016 ANNUAL ASSESSMENTS**

CUP	Assessor's Parcel Number/Lot No.	Maximum Assessment
03663	274040030-2 ⁷	\$0
03663	274040031-3	\$230
03663	274040032-4	\$177
03663	274040033-5 ⁷	\$0
03663	274040034-6	\$395
03663	274040035-7	\$325
03663	274040036-8	\$16
03663	274040037-9 ⁷	\$0
03663	274040038-0	\$160
03663	274040039-1	\$584

Waiver and Consent Regarding Date of Assessment Ballot Election

There is only one individual/entity which owns all of the property within the proposed boundaries of Zone 192 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on June 30th, 2015; a copy of said waiver is filed herewith and made a part hereof.

**LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 89-1-CONSOLIDATED
OF THE COUNTY OF RIVERSIDE, CALIFORNIA**

**WAIVER AND CONSENT REGARDING DATE OF
ASSESSMENT BALLOT ELECTION**

The undersigned, an authorized representative of Donald Fruciano and Elissa Fruciano Family Trust (the "Owner") owns property within the unincorporated area of the County of Riverside (the "County") represented by the following Assessor's Parcel Numbers for fiscal year 2015-16 (the "Property"): APN(s) 274-040-030 thru 039.

The Owner has made application that the Property be annexed as Zone 192 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County ("L&LMD No. 89-1-C") and certifies the following:

1. The Owner waives the requirements of Section 4000 of the Elections Code of the State of California (the "Elections Code") that the mailed ballot election required for annexation and the levy of an annual assessment must be held on an established mailed ballot election date pursuant to Section 1500 of the Election Code; and
2. The Owner consents to the mailed assessment ballot election with respect to the levy of an annual assessment on the Property being held on June 30, 2015

OWNER: Donald Fruciano and Elissa Fruciano
Family Trust

(Name of Company
as Stated in Initial Paragraph)

By:

Don Fruciano
Signature

Name:

DON FRUCIANO
Print

Title:

TR

