



SUBMITTAL DATE:

March 3, 2016

FROM: TLMA - Transportation Dept.

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of

Zone 195 (Lake Hills) District 1 [\$7,962]; L&LMD No. 89-1-C - 100%.

RECOMMENDED MOTION: That the Board of Supervisors:

1. With regard to the annexation of Zone 195 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, conduct the public hearing and, after closing the public hearing, direct the Director of Transportation, or his designee, who the Board of Supervisors finds to be an impartial person as that term is used in Section 53753(e) of the Government Code, to tally all ballots received prior to the close of the public hearing. All ballots received prior to the close of the public hearing will be tallied at 10:00 a.m. on Wednesday, March 16, 2016 in Conference Room C on the 8th Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California. Staff is directed to cause the appropriate resolution, based on the election tally, to be prepared and returned to the Board of Supervisors for its consideration.

Patricia Romo

Assistant Director of Transportation

Director of Transportation and Land Management

For Fiscal Year:

| FINANCIAL DATA | Current F | iscal Year: | Nex | t Fiscal Year: | Total | Cost: | Or | going Cost: | POLICY/0 (per Exe | CONSENT c. Office) | |
|---|-----------|-------------|------|----------------|-------|-------|----|-----------------|----------------------|-----------------------|---|
| COST | \$ | 0 | \$ | 7,962 | \$ | N/A | \$ | 7,962 | Consent □ | Policy 1 | _ |
| NET COUNTY COST | \$ | 0 | \$ (| 0 | \$ 0 | \$ | 00 | Consent E Tono, | 1 01107 1 | | |
| SOURCE OF FUNDS 1.81 MD No. 89-1-C - 100% | | | | | | | | Budget Adjustn | nent: | N/A | |

There are no General Funds used in this project. C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes:

Jeffries, Tavaglione, Washington, Benoit and Ashley

Nays: Absent: None

Date:

None March 15, 2016

XC:

Transp.

Agenda Number: Prev. Agn. Ref.: 1/26/16, 3-31 District: 1

Kecia Harper-Ihem

15/16

Positions Added

Change Order

4/5 Vote

A-30

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 195 (Lake Hills) District 1 [\$7,962]; L&LMD No. 89-1-C – 100%

DATE: March 3, 2016

PAGE: 2 of 2

BACKGROUND:

Summary

Pursuant to the Landscaping and Lighting Act of 1972 and Resolution No. 2015-066, adopted by the Board of Supervisors (Board) on January 26, 2016 (Agenda Item 3-31), the Board noticed a public hearing for March 15, 2016, to receive testimony regarding the Annexation of Zone 195 to the Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C). Annexation of Zone 195 will fund the maintenance and servicing of landscaping and streetlights within public rights-of-way located easterly of La Sierra Avenue in the Lake Hills area and includes 32 single-family residential lots.

On January 27, 2016, a notice of the public hearing, information sheet, mail-in ballot, impartial analysis, and a copy of Resolution No. 2015-066 were mailed to all property owners, within Zone 195, for the proposed annexation to the L&LMD No. 89-1-C. Pursuant to the Notice, all ballots must be returned prior to the conclusion of the public hearing.

The notice of the public hearing was also given by publication of a certified copy of Resolution No. 2015-066 in an appropriate newspaper at least ten (10) days prior to the public hearing date and by posting a certified copy of the Resolution No. 2015-066 on the official bulletin board customarily used by the Board for the posting of notices and in two (2) other public locations within the County of Riverside (County).

Impact on Residents and Businesses

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

Property owners within the proposed boundaries of Zone 195, which are represented by Tract Map No. 30473, as described in Exhibit "A" (a two page exhibit containing a description and diagram) are impacted by the cost of this annexation. Property owners within the proposed boundaries of Zone 195 have petitioned the County to annex their property to the 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 (landscaping and streetlights).

SUPPLEMENTAL:

Additional Fiscal Information

The proposed budget for fiscal year 2016-17 for Zone 195 is \$7,961.63. This will result in an assessment for fiscal year 2016-17 within Zone 195 of \$248.80 per parcel. 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 (CPI-U), if any, as it stands as of March of each year over the base index for March of 2016.

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

A. Exhibit A

EXHIBIT "A" DESCRIPTION OF BOUNDARIES

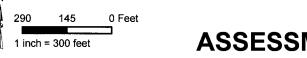
The boundaries of Zone 195 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of 32 parcel(s) as shown on Tract Map No. 30473 in the County of Riverside, State of California for fiscal year 2016-17.

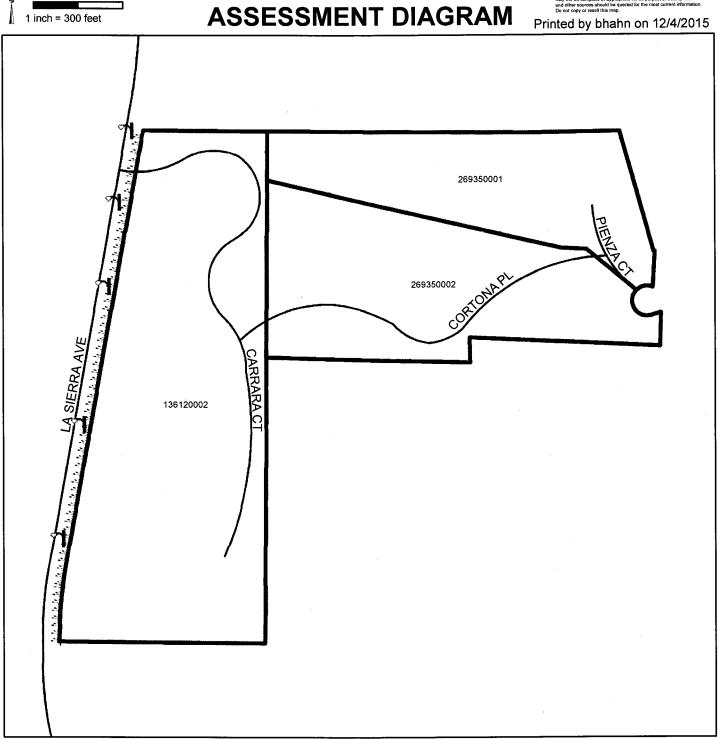
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED **ZONE 195**

PORTION OF SECTIONS 25 & 30, T.3., R.5 & 6 W. TR30473

32 PARCELS







₩₩₩₩₩ DENOTES MAINTAINED PARKWAY



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



SUBMITTAL DATE: January 13, 2016

FROM: TLMA - Transportation Dept.

SUBJECT: Initiate proceedings for the Annexation of Zone 195 (Lake Hills) to Landscaping and

Lighting Maintenance District No. 89-1-Consolidated, District 1 [\$7,962]; L&LMD No. 89-1-C

– 100%

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

1. Resolution No. 2016-065 a Resolution of the County of Riverside initiating proceedings for the annexation of Zone 195 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Zone 195.

2. Resolution No. 2016-066, a Resolution of the County of Riverside declaring its intent to order the annexation of Zone 195 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 landscaping and streetlights; adopting the preliminary engineer's report; giving notice of and setting the time and place of the public hearing on the annexation of Zone 195, ordering a mailed ballot election; and directing notice of the public hearing and ballot be mailed pursuant to Article XIIID of the California Constitution.

Patricia Romo

Assistant Director of Transportation

Juan C. Perez

Director of Transportation and Land Management

| FINANCIAL DATA | Current Fiscal Year: | | Next Fiscal Year: | | Total Cost: | | Ongoing Cost: POLICY/CONSEN (per Exec. Office | | | |
|--|----------------------|---|-------------------|-------|-------------|-----|---|--------------|---------|-----------|
| COST | \$ | 0 | \$ | 7,962 | \$ | N/A | \$ | 7,962 | Consent | Daliay 🔽 |
| NET COUNTY COST | \$ | 0 | \$ | 0 | \$ | 0 | \$ | 0 Consent | | Policy #2 |
| SOURCE OF FUNDS L&LMD No. 89-1-C - 100% | | | | | | | Budget Adjustment: N/A | | | |
| There are no General Funds used in this project. | | | | | | | Fo | r Fiscal Yea | r: | 16/17 |

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and is set for public hearing March 15, 2016 at 9:00 a.m. or as soon as possible thereafter.

Ayes:

Jeffries, Tavaglione, Washington, Benoit and Ashley

Navs:

None

Absent:

None

Date:

January 26, 2016

XC:

Transp., COB

Prev. Agn. Ref.:

District: 1

Agenda Number:

Kecia Harper-Ihem

Positions Added Change Order

4/5 Vote

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

FORM 11: Initiate proceedings for the Annexation of Zone 195 (Lake Hills) to Landscaping and Lighting

Maintenance District No. 89-1-Consolidated, District 1 [\$7,962]; L&LMD No. 89 1 C - 100% **DATE:** January 13, 2016

PAGE: 2 of 3

BACKGROUND:

Summary

Landscaping and Lighting Maintenance Districts (L&LMD's) are designed for the purpose of creating a funding mechanism to pay for the installation and maintenance of landscaping, streetlights, traffic signals, drainage inlet water quality filters, decorative fencing, and other roadside features within the road right of way. Within an established L&LMD, zones are created for specific developments, a fee structure is developed specific to the features within that zone, and the zone is then assessed through a tax levy on annual basis for the installation and maintenance of the features within that particular zone.

L&LMD No. 89-1-C was formed in 1994, Resolution No. 94-389, and currently consists of 124 individual zones with different fee structures spread throughout the County of Riverside (County). The property owner of Tract Map No. 30473, as described in the attached Exhibit "A", has petitioned the County to annex their property into L&LMD No. 89-1-C, creating Zone 195. The boundaries of Zone 195 will encompass the entire Tract Map No. 30473 and will include the maintenance and servicing of landscaping and streetlights.

Adoption of Resolution No. 2016-065 appoints the Director of the Transportation Department, or his designee, as the Engineer to prepare a Report regarding the proposed annexation of Zone 195 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2016-066 declares the Board of Supervisors' intention of ordering the annexation of Zone 195 to L&LMD No. 89-1-C. The annexation of Zone 195 to L&LMD No. 89-1-C will fund the maintenance and servicing of landscaping and streetlights within public right-of-way located easterly of La Sierra Ave in the Lake Hills area and includes 32 single-family residential lots.

Consistent with the Board of Supervisors' direction regarding compliance with Article XIIID 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 March 15, 2016 to receive testimony for and against the proposed assessment. Each property owner within the proposed Zone 195 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2016-066, 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 195 will be annexed to L&LMD No. 89-1-C.

The individuals/entities which own all of the property within the proposed boundaries of Zone 195 have executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on March 15, 2016.

Reference

At the direction of the County of Riverside Board of Supervisors, L&LMD No. 89-1-C was formed in 1994 by Resolution No. 94-389 authorizing the annexation of new zones into L&LMD No. 89-1-C for the purpose of levying assessments to pay for the installation and maintenance of landscaping, streetlights and other right-of-way approved improvements.

The zone specific Engineer's Report for fiscal year 2016-2017 was prepared in compliance with the requirement of Article 4, Chapter, 1, of the Landscaping and Lighting Act of 1972, which is Part 2, Division 15 of the California Streets and Highways Code. The County initiates annexation proceedings for the annual levy of assessments by passing a resolution, which proposes the new levy under the Landscaping and Lighting Act of 1972. resolution also describes the improvements, describes the location of the zone within the District and finally orders an engineer, who is a registered professional engineer, certified by the State of California, to prepare and file a detailed report.

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

FORM 11: Initiate proceedings for the Annexation of Zone 195 (Lake Hills) to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, District 1 [\$7,962]; L&LMD No. 89 1 C – 100%

DATE: January 13, 2016

PAGE: 3 of 3

In November 1996, California voters passed Proposition 218, Right to Vote on Taxes Act which added Articles XIII C and XIII D to the California Constitution, new procedures must be followed to levy annual assessments under the Landscaping and Lighting Act of 1972. A County may levy annual assessments for an assessment district after complying with the requirements of the Landscaping and Lighting Act of 1972, and the provisions of Proposition 218 Right to Vote on Taxes Act.

Impact on Residents and Businesses

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

Only the property owner within the proposed boundaries of Zone 195, which are represented by Tract Map No. 30473, as described in the attached Exhibit "A" (a two page exhibit containing a description and diagram) are impacted by the cost of this annexation. By setting up an assessment for the maintenance of certain infrastructure required by the development, the County requires that the development pay for its maintenance impact, rather than the obligation falling upon public funding sources.

SUPPLEMENTAL:

Additional Fiscal Information

The proposed budget for fiscal year 2016-17 for Zone 195 is \$7,961.63. This will result in an assessment for fiscal year 2016-17 within Zone 195 of \$248.80 per parcel. 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 (CPI-U), if any, as it stands as of March of each year over the base index for March of 2016.

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

Location Map Exhibit A Resolution No. 2016-065 Resolution No. 2016-066 Engineer's Report

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RESOLUTION NO. 2016-065

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF ZONE 195 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 195"), 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 195 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 XIIID 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 195; and

WHEREAS, the Applicants have executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on March 15, 2016; 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

to serve as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of Zone 195 to L&LMD No. 89-1-C.

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside assembled in regular session on January 26, 2016 as follows:

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

Section 2. Annexation. The Board of Supervisors proposes to annex Zone 195 to L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to the Act for the purpose of levying an annual assessment on all parcels within Zone 195 to pay the costs of the following services:

- (a) The maintenance and servicing of landscaping within the public right-of-way including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass, and other ornamental vegetation; and
- (b) Providing electricity to and the maintenance and servicing of streetlights within the public right-of-way including incidental costs and expenses.

Section 3. <u>Boundaries and Designation.</u> The boundaries of Zone 195 that are proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and described in Exhibit "A".

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

Section 5. <u>Effective date.</u> This Resolution shall take effect from and after its date of adoption.

BOARD OF SUPERVISORS

COUNTY OF RIVERSIDE

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RESOLUTION 2016-065

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF ZONE 195 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

ADOPTED by Riverside County Board of Supervisors on January 26, 2016.

ROLL CALL:

Ayes:

Jeffries, Tavaglione, Washington, Benoit and Ashley

Nays: Absent:

None

None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board

3v[.]

Deputy

01.26.16 3-31

EXHIBIT "A" DESCRIPTION OF BOUNDARIES

The boundaries of Zone 195 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of 32 parcel(s) as shown on Tract Map No. 30473 in the County of Riverside, State of California for fiscal year 2016-17.

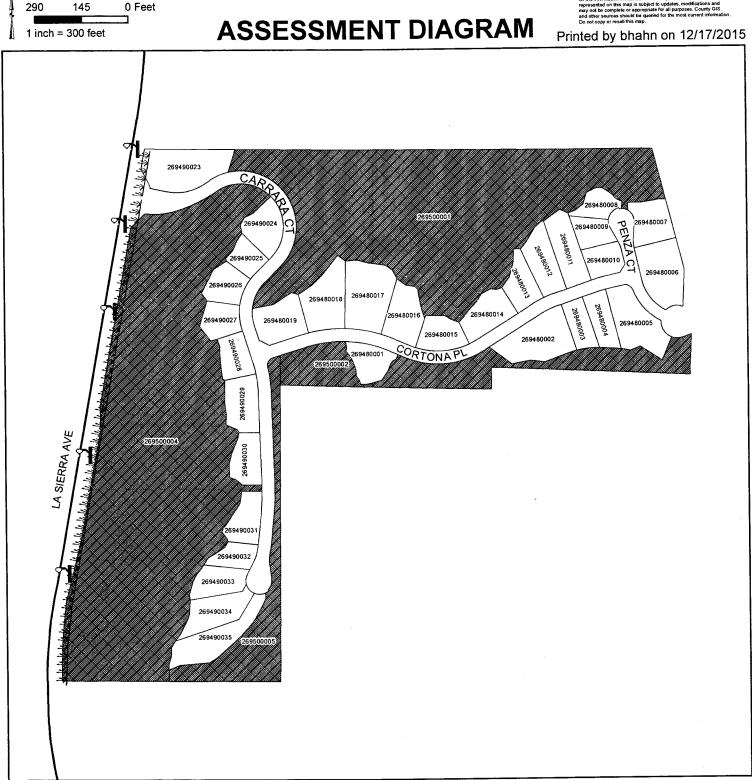
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

ZONE 195

PORTION OF SECTIONS 25 & 30, T.3., R.5 & 6 W. TR30473

32 PARCELS

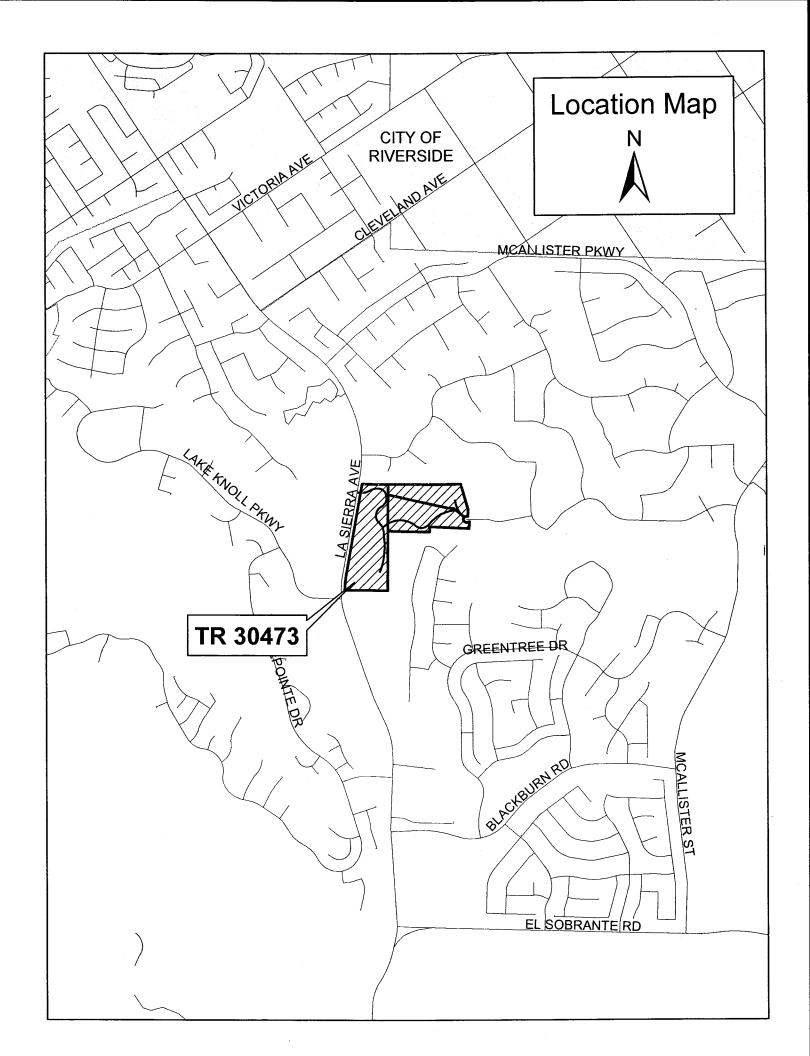




₩₩₩₩₩ DENOTES MAINTAINED PARKWAY

DENOTES MAINTAINED STREETLIGHT

DENOTES NON-ASSESSED PARCEL



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APPROVED, COUNTY COUNSE

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RESOLUTION NO. 2016-066

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 195 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 LANDSCAPING AND STREETLIGHTS; 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 195; 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 XIIID 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. 2016-065 on January 26, 2016 initiating proceedings for the annexation of Zone 195 (hereinafter "Zone 195"), 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 195 and the assessments to be levied within Zone 195 each fiscal year beginning fiscal year 2016-17 for the maintenance and servicing of landscaping and streetlights within the public right-of-way within said Zone; and

WHEREAS, such proceedings shall comply with the requirements of Article XIIID of the California Constitution (hereinafter "Article XIIID:"), 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 195; and

WHEREAS, the Board of Supervisors by Resolution No. 2016-065 directed the Director of the Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report

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

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

WHEREAS, the Applicants have executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on March 15, 2016; and

WHEREAS, it is necessary that the Board of Supervisors adopt a resolution of intention pursuant to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to Section 22626 of the Streets and Highways Code, of the time and place of a public hearing on said Report, the annexation of Zone 195, and the assessments to be levied on parcels within Zone 195 beginning in fiscal year 2016-17;

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors in regular session assembled on January 26, 2016 as follows:

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

- (a) The foregoing recitals are true and correct;
- (b) The Report contains all matters required by Sections 22565 through 22574 of the Streets and Highways Code and Section 4 of Article XIIID and may, therefore, be approved by the Board of Supervisors;
- (c) The annual assessment for fiscal year 2016-17 on all parcels within Zone 195 will be \$248.80 per parcel.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Zone 195, as described and shown in Exhibit "A", to L&LMD No. 89-1-C, and to levy and collect an annual assessment on all assessable lots and parcels of property within Zone 195 commencing with the fiscal year 2016-17 as set forth in the Report. The Report expressly states that there are no parcels or lots within Zone 195 that are owned by a federal, state or other local governmental agency that will benefit from the services to be financed by the annual assessments. The

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

Section 3. <u>Boundaries.</u> All the property within boundaries of Zone 195 is proposed to be annexed to L&LMD No. 89-1-C and shall include that property in the unincorporated area of the County as described and shown in Exhibit "A".

Section 4. <u>Description of Services to be Provided</u>. The services authorized for Zone 195 of L&LMD No. 89-1-C are:

- (a) The maintenance and servicing of landscaping within the public right-of-way including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass, and other ornamental vegetation; and
- (b) Providing electricity to and the maintenance and servicing of streetlights within the public right-of-way including incidental costs and expenses.

Section 5. Amount to be Levied. The assessment to be levied upon each parcel that benefits from the annexation of Zone 195 to L&LMD No. 89-1-C will be \$248.80 per parcel for fiscal year 2016-17. As stated in the Report, the total budget for Zone 195 for the fiscal year 2016-17 is \$7,961.63; there are 32 parcels that are to be assessed. Each succeeding fiscal year the special assessment may be subject to an annual adjustment that is the greater of two percent (2%) or the cumulative percentage increase, if any, in the Consumer Price Index for all Urban Consumers ("CPI-U") for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor. The annual CPI-U adjustment will be based on the cumulative increase, if any, in the "Index" as it stands on March of each year over the base Index for March of 2016. Any increase larger than the greater of 2% or the CPI-U annual adjustment requires a majority approval of all the property owners in Zone 195. The Board of Supervisors will levy the assessment in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for the dissolution of Zone 195 of L&LMD No. 89-1-C. The annual

assessment will fund the services described in Section 4 of this Resolution. For further particulars, reference is to be made to the Report on file in the Office of the Clerk of the Board of Supervisors.

Section 6. The Property to be Annexed. The property to be annexed to L&LMD No. 89-1-C is Zone 195. The boundaries of Zone 195 are located within the unincorporated area of the County and are described and shown in the Report and Exhibit "A".

Section 7. Report. The Report, which is on file with the Clerk of the Board of Supervisors and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to the Report for a full and detailed description of the services, the boundaries of Zone 195, and the annual assessment to be levied upon assessable lots and parcels within Zone 195 proposed to be annexed to L&LMD No. 89-1-C.

Section 8. <u>Public Hearing.</u> The question of whether Zone 195 shall be annexed to L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2016-17 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on March 15, 2016, at 9:00 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1st Floor, Riverside, California.

Section 9. Majority Protest. Each owner of record of property within Zone 195 is to receive by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIIID and Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the Public Hearing. The agency shall not impose an assessment if there is a majority protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the ballots shall be weighted according to the proportional financial obligation of the affected property.

Section 10. <u>Information.</u> Any property owner desiring additional information regarding Zone 195 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Brigitte Hahn, Senior Engineering Technician, Transportation Department of the County of Riverside, 4080

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

Section 11. Notice of the Public Hearing. Notice of Public Hearing with regard to the annexation of Zone 195 to L&LMD No. 89-1-C shall be given consistent with Section 22626 of the Streets and Highways Code and Section 4 of Article XIIID. The Clerk of the Board of Supervisors shall give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is March 15, 2016. Publication of this Resolution is to be effected by the Clerk of the Board of Supervisors. Notice shall also be given by mailing first-class, postage prepaid, those notices, as prepared by County Counsel, assessment ballot and information sheets as required by Section 4 of Article XIIID and Section 4000 of the California Elections Code to all owners of record of property within Zone 195 as shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on March 15, 2016.

Section 12 <u>Effective Date.</u> This Resolution shall take effect from and after its date of adoption.

ROLL CALL:

Ayes:

Jeffries, Tavaglione, Washington, Benoit and Ashley

Nays:

None

Absent:

None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board

Popul

EXHIBIT "A" DESCRIPTION OF BOUNDARIES

The boundaries of Zone 195 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of 32 parcel(s) as shown on Tract Map No. 30473 in the County of Riverside, State of California for fiscal year 2016-17.

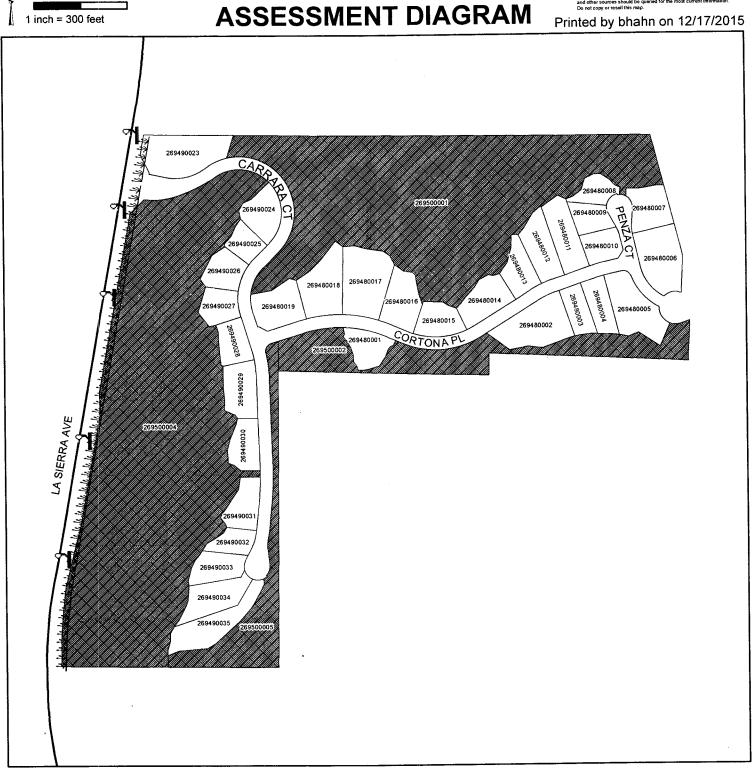
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

ZONE 195

PORTION OF SECTIONS 25 & 30, T.3., R.5 & 6 W. TR30473

32 PARCELS





₩₩₩₩₩ DENOTES MAINTAINED PARKWAY

DENOTES MAINTAINED STREETLIGHT

290

0 Feet

DENOTES NON-ASSESSED PARCEL



OFFICE OF CLERK OF THE BOARD OF SUPERVISORS 1st FLOOR, COUNTY ADMINISTRATIVE CENTER P.O. BOX 1147, 4080 LEMON STREET RIVERSIDE, CA 92502-1147

PHONE: (951) 955-1060 FAX: (951) 955-1071 KECIA HARPER-IHEM Clerk of the Board of Supervisors

KIMBERLY A. RECTOR Assistant Clerk of the Board

February 29, 2016

THE PRESS ENTERPRISE ATTN: LEGALS PO BOX 792 RIVERSIDE, CA 92501

FAX: (951) 368-9018 E-**M**AIL: legals@pe.com

RE: NOTICE OF PUBLIC HEARING: RESOLUTION 2016-066 ZONE 195

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Thursday, March 3, 2016.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, WITH TWO CLIPPINGS OF THE PUBLICATION.

NOTE:

PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to: KECIA HARPER-IHEM, CLERK OF THE BOARD

Printed at: 9:32 am On: Tuesday, Mar 01, 2016

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THE PRESS-ENTERPRISE

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Ad Information Placement: Public Notice FR Publication: PE Riverside, PE.com Start Date: 03/03/2016 Stop Date: 03/03/2016 Insertions: 1 print / 1 online Rate code: County Ad LgI-PE Ad type: C Legal Size: 2 X 297 Li Bill Size: 594.00 Amount Due: \$861.30

Ad Copy:

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor, County Administrative Center, Board of Supervisors Chambers, 4080 Lemon Street, Riverside, on Tueaday, March 15, 2016 at 9:00 a.m., or as soon as possible thereafter, to consider the following:

RESOLUTION NO. 2016-066

RESOLUTION NO. 2016-066

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 195 TO LAND-SCAPING 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 LANDSCAPING AND STREETLIGHTS; 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 195; 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 XIIID 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. 2016-085 on January 26, 2016 initiating proceedings for the annexation of Zone 195 (hereinafter "Zone 195"), 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 195 and the assessments to be levied within Zone 195 each fiscal year beginning fiscal year 2016-17 for the maintenance and servicing of landscaping and streetlights within the public right-of-way within said Zone; and WHEREAS, such proceedings shall comply with the requirements of Article XIIID of the California Constitution (hereinafter "Article XIIID"), 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 195; and WHEREAS, the Board of Supervisors by Resolution No. 2016-065 directed the Director of the Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report with the Clerk of the Board of Supervisors and the Report with the Clerk of the Board of Supervisors and the Report has been presented to and considered by the Board of Supervisors; and

visors; and where to an doisidered by the board or Supervisors; and where As, the Applicants have executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on March 15,

on allowing for the election to be held on March 15, 2016; and WHEREAS, it is necessary that the Board of Supervisors adopt a resolution of intention pursuant to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to Section 22626 of the Streets and Highways Code, of the time and place of a public hearing on said Report, the annexation of Zone 195, and the assessments to be levied on parcels within Zone 195 beginning in fiscal year 2016-17; NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors in regular session assembled on January 26, 2016 as follows:

visors in regular session assembled on January 26, 2016 as follows:

Section 1. Findings. The Board of Supervisors, after reviewing the Report, finds that:
(a) The foregoing recitals are true and correct;
(b) The Report contains all matters required by Sections 22565 through 22574 of the Streets and Highways Code and Section 4 of Article XIIID and may, therefore, be approved by the Board of Supervisors;
(c) The annual assessment for fiscal year 2016-17 on all parcels within Zone 195 will be \$248.80 per parcel.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Zone 195,

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor, County Administrative Center, Board of Supervisors Chambers, 4080 Lemon Street, Riverside, on **Tuesday, March 15, 2016 at 9:00 a.m.**, or as soon as possible thereafter, to consider the following:

RESOLUTION NO. 2016-066

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 195 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 LANDSCAPING AND STREETLIGHTS; 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 195; 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 XIIID 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. 2016-065 on January 26, 2016 initiating proceedings for the annexation of Zone 195 (hereinafter "Zone 195"), 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 195 and the assessments to be levied within Zone 195 each fiscal year beginning fiscal year 2016-17 for the maintenance and servicing of landscaping and streetlights within the public right-of-way within said Zone; and

WHEREAS, such proceedings shall comply with the requirements of Article XIIID of the California Constitution (hereinafter "Article XIIID:"), 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 195; and

WHEREAS, the Board of Supervisors by Resolution No. 2016-065 directed the Director of the Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the Street and Highways Code and Section 4 of Article XIIID; and

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

WHEREAS, the Applicants have executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on March 15, 2016; and

WHEREAS, it is necessary that the Board of Supervisors adopt a resolution of intention pursuant to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to Section 22626 of the Streets and Highways Code, of the time and place of a public hearing on said Report, the annexation of Zone 195, and the assessments to be levied on parcels within Zone 195 beginning in fiscal year 2016-17;

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors in regular session assembled on January 26, 2016 as follows:

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

- (a) The foregoing recitals are true and correct;
- (b) The Report contains all matters required by Sections 22565 through 22574 of the Streets and Highways Code and Section 4 of Article XIIID and may, therefore, be approved by the Board of Supervisors;
- (c) The annual assessment for fiscal year 2016-17 on all parcels within Zone 195 will be \$248.80 per parcel.

Section 2. <u>Intent.</u> The Board of Supervisors hereby declares its intention to order the annexation of Zone 195, as described and shown in Exhibit "A", to L&LMD No. 89-1-C, and to levy and collect an annual assessment on all assessable lots and parcels of property within Zone 195 commencing with the fiscal year 2016-17 as set forth in the Report. The Report expressly states that there are no parcels or lots within Zone 195 that are owned by a federal, state or other local governmental agency that will benefit from the services to be financed by the annual assessments. The annual assessments will be collected at the same time and in the same manner as property taxes are collected, and all laws providing for the collection and enforcement of property taxes shall apply to the collection and enforcement of said assessments.

Section 3. <u>Boundaries.</u> All the property within boundaries of Zone 195 is proposed to be annexed to L&LMD No. 89-1-C and shall include that property in the unincorporated area of the County as described and shown in Exhibit "A".

Section 4. <u>Description of Services to be Provided</u>. The services authorized for Zone 195 of L&LMD No. 89-1-C are:

- (a) The maintenance and servicing of landscaping within the public right-of-way including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass, and other ornamental vegetation; and
- (b) Providing electricity to and the maintenance and servicing of streetlights within the public right-of-way including incidental costs and expenses.

Section 5. Amount to be Levied. The assessment to be levied upon each parcel that benefits from the annexation of Zone 195 to L&LMD No. 89-1-C will be \$248.80 per parcel for fiscal year 2016-17. As stated in the Report, the total budget for Zone 195 for the fiscal year 2016-17 is \$7,961.63; there are 32 parcels that are to be assessed. Each succeeding fiscal year the special assessment may be subject to an annual adjustment that is the greater of two percent (2%) or the cumulative percentage increase, if any, in the Consumer Price Index for all Urban Consumers ("CPI-U") for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor. The annual CPI-U adjustment will be based on the cumulative increase, if any, in the "Index" as it stands on March of each year over the base Index for March of 2016. Any increase larger than the greater of 2% or the CPI-U annual adjustment requires a majority approval of all the property owners in Zone 195. The Board of Supervisors will levy the assessment in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for the dissolution of Zone 195 of L&LMD No. 89-1-C. The annual assessment will fund the services described in Section 4 of this Resolution. For further particulars, reference is to be made to the Report on file in the Office of the Clerk of the Board of Supervisors.

Section 6. The Property to be Annexed. The property to be annexed to L&LMD No. 89-1-C is Zone 195. The boundaries of Zone 195 are located within the unincorporated area of the County and are described and shown in the Report and Exhibit "A".

Section 7. Report. The Report, which is on file with the Clerk of the Board of Supervisors and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to the Report for a full and detailed description of the services, the boundaries of Zone 195, and the annual assessment to be levied upon assessable lots and parcels within Zone 195 proposed to be annexed to L&LMD No. 89-1-C.

Section 8. Public Hearing. The question of whether Zone 195 shall be annexed to L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2016-17 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on March 15, 2016, at 9:00 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1st Floor, Riverside, California.

Section 9. <u>Majority Protest.</u> Each owner of record of property within Zone 195 is to receive by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIIID and Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the Public Hearing. The agency shall not impose an assessment if there is a majority protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the ballots shall be weighted according to the proportional financial obligation of the affected property.

Section 10. <u>Information.</u> Any property owner desiring additional information regarding Zone 195 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Brigitte Hahn, Senior Engineering Technician, Transportation Department of the County of Riverside, 4080 Lemon Street, 8th Floor, Riverside, California, 92501, or by telephone at 951-955-6263, or by e-mail at bhahn@rctlma.org.

Section 11. Notice of the Public Hearing. Notice of Public Hearing with regard to the annexation of Zone 195 to L&LMD No. 89-1-C shall be given consistent with Section 22626 of the Streets and Highways Code and Section 4 of Article XIIID. The Clerk of the Board of Supervisors shall give notice of

the Public Hearing by causing a certified copy of this Resolution to be published once in an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is March 15, 2016. Publication of this Resolution is to be effected by the Clerk of the Board of Supervisors. Notice shall also be given by mailing first-class, postage prepaid, those notices, as prepared by County Counsel, assessment ballot and information sheets as required by Section 4 of Article XIIID and Section 4000 of the California Elections Code to all owners of record of property within Zone 195 as shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on March 15, 2016.

Section 12 <u>Effective Date.</u> This Resolution shall take effect from and after its date of adoption.

(INSERT EXHIBIT "A" DESCRIPTION OF BOUNDARIES)

(INSERT ASSESSMENT DIAGRAM)

ROLL CALL:

AYES:

Jeffries, Tavaglione, Washington, Benoit, and Ashley

NAYS:

None

ABSENT:

None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on January 26, 2016.

Kecia Harper-Ihem, Clerk of said Board

By: Cecilia Gil, Board Assistant

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the public hearing or may appear and be heard in support of or opposition to the project at the time of the hearing. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public hearing.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, 72 hours prior to the hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: February 29, 2016

Kecia Harper-Ihem, Clerk of the Board By: Cecilia Gil, Board Assistant

EXHIBIT "A" DESCRIPTION OF BOUNDARIES

The boundaries of Zone 195 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of 32 parcel(s) as shown on Tract Map No. 30473 in the County of Riverside, State of California for fiscal year 2016-17.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED **ZONE 195**

PORTION OF SECTIONS 25 & 30, T.3., R.5 & 6 W. TR30473

32 PARCELS



ASSESSMENT DIAGRAM 1 inch = 300 feet Printed by bhahn on 12/4/2015 269350001 269350002 CARRARA 136120002

₩₩₩₩ DENOTES MAINTAINED PARKWAY

290

145

0 Feet