



CITY OF SACRAMENTO

DEPARTMENT OF PUBLIC WORKS

26 & 27

ENGINEERING

March 5, 1985

City Council
Sacramento, California 95814

Honorable Members in Session:

SUBJECT: Establishing the Morrison Creek Assessment District, Improvement Proceeding No. 5068, and Acquisition of Necessary Right of Ways.

CITY MANAGER'S OFFICE
RECEIVED
MAR 6 1985

Administration, Rm. 300 (916) 449-5307
Architecture, Rm. 302 (916) 449-5307
Civil Engineering, Rm. 207 (916) 449-5281
Construction, Rm. 207 (916) 449-5281
Electrical Engineering, Rm. 304 (916) 449-5287
Real Estate, Rm. 300 (916) 449-5307
Traffic Engineering, Rm. 300 (916) 449-5307

APPROVED
BY THE CITY COUNCIL

MAR 12 1985

OFFICE OF THE
CITY CLERK

SUMMARY

The Hearing on the formation of the Morrison Creek Assessment District and acquisition of necessary right of ways for said District was held on February 5, 1985 and continued to February 26, 1985, and further continued to this date pending staff reporting on the protest received from property owners objecting to the District. It is requested that the City Council adopt the attached Resolutions which overrule protest, determine public convenience and necessity, approve the Engineers Report and confirm Assessments.

BACKGROUND INFORMATION

At the time scheduled for the Hearing, the Engineering Division Manager will make an oral presentation concerning protests received at the February 5, 1985, meeting.

FINANCIAL DATA

This project is estimated to cost \$7,515,023.97, and is being financed entirely by the property owners within the District and a contribution by the County of Sacramento for trunk sanitary sewer lines.

Contract Bid	\$4,741,136.02
Railroad Bridge to Reconstruct	168,695.00
Contingency	600,000.00
Right-of-Way	53,879.25
Incidental Expenses	1,951,343.70
	<hr/>
ESTIMATED TOTAL PROJECT COST	7,515,023.97
Less Interest Earnings	- 100,000.00
Less County Contribution	- 716,922.50
	<hr/>
AMOUNT TO BE ASSESSED TO PROPERTY OWNERS	\$6,698,101.47

RECOMMENDATION

It is recommended that the Hearing be closed and the protest be overruled, and that the Council adopt the following Resolutions in the order listed below:

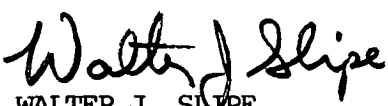
1. Resolution Overruling Protests on Resolution No. 84-1043 of Preliminary Determination and of Intention (4/5 vote);
2. Resolution Finding and Determining That Public Convenience and Necessity Require Proposed Acquisitions and Improvements (4/5 vote);
3. Resolution Ordering Reduction of Assessments;
4. Resolution Ordering Adopting Engineers Report, Confirming the Assessment and Ordering the Work and Acquisitions; and,
5. Resolution Designating Collection Officer.

Respectfully submitted,



THOMAS M. FINLEY
Engineering Division Manager

Recommendation Approved:



WALTER J. SLUPE
City Manager

Approved:



MELVIN H. JOHNSON
Director of Public Works

IEM:jd
Attachments
RE:I/A-23

March 12, 1985
District No. 6

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d.
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EXHIBIT "A"
CITY COUNCIL OF THE CITY OF SACRAMENTO
March 12, 1985

APPROVED
BY THE CITY COUNCIL

MAR 12 1985

OFFICE OF THE
CITY CLERK
ENGINEER'S REPORT

In the Matter of Improvement)
Proceeding No. 5068, Morrison)
Creek Assessment District No. 6)

The continuation of a Public Hearing is scheduled for this date pertaining to the proposed public improvement work in Morrison Creek Assessment District Improvement Proceeding No. 5068.

This public improvement proceeding has been undertaken due to the following facts:

1. That on December 18, 1984, the City Engineer presented to the Council the Resolution of Intention and Preliminary Determination declaring public convenience and necessity, a Report and Resolution Approving Report which set a Hearing for February 5, 1985, which was continued to February 26, 1985. At the continued Hearing date of February 26, 1985, the City Council further continued the Hearing to March 12, 1985.

2. The project would consist of widening Morrison Creek, constructing drainage pumping station, sanitary lift station, bridges, storm sewers, sanitary sewers and water mains in the area generally bounded by Unsworth Avenue, Elder Creek Road, Power Inn Road and Central California Traction Railroad right-of-way.

The purpose of the project is to construct these improvements in order to improve public health, safety and provide the area with trunk storm, sanitary sewers, water distribution system to enable this area to develop as a light industrial type center, as called for under its existing zoning.

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3. That on December 28, 1984, Notices were mailed to all the property owners within the proposed Assessment District informing them of the proposed assessment on their property and the date of the Hearing on the Report and confirming of the Assessment.

4. That on January 9, 1985, copies of the Notice of Improvement were posted on all streets and easements within the proposed Assessment District pursuant to existing law.

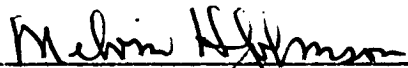
5. That on December 24, and December 28, 1984, the Notice of Improvement for the proposed project was published in the Daily Recorder.

6. That prior to and at the Hearing held on February 12, 1985, 17 individual property owners submitted protests to the proposed objecting to the formation of the District.

Staff has either called or met with the protestants or their representatives and discussed the proposed project. As of March 5, 1985, three of the 17 protestants have stated they will withdraw their protests. The remaining protestants are: Mario and Juliett Affinetto, Lawrence and Elaine Lim, George Hall, William Gilbert, Tony and Sharon Melvold, Larry and Beatrice Iniguez, Frank and Bethel Nicolosi, John and Francis Ferreira, Joe and Lura Morris, Anna Hinsz, Lawrence and Mary Northrup, Alan and G. R. Messick, and Mettalo Steel, and they represent 161.59 acres, or 18.3% of the total acreage within the District.

7. It is my opinion that said improvements will improve the aesthetics, health and safety of the neighborhood.

Executed this 12th day of March, 1985.



MELVIN H. JOHNSON
DIRECTOR OF PUBLIC WORKS



CITY OF SACRAMENTO

DEPARTMENT OF PUBLIC WORKS

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ENGINEERING

February 21, 1985

CITY MANAGER'S OFFICE
RECEIVED
FEB 21 1985

Administration, Rm. 300	(916) 449-5307
Architecture, Rm. 302	(916) 449-5307
Civil Engineering, Rm. 207	(916) 449-5281
Construction, Rm. 207	(916) 449-5281
Electrical Engineering, Rm. 304	(916) 449-5287
Real Estate, Rm. 300	(916) 449-5307
Traffic Engineering, Rm. 300	(916) 449-5307

City Council
Sacramento, California 95814

Honorable Members in Session:

SUBJECT: Establishing the Morrison Creek Assessment District, Improvement Proceeding No. 5068, and Acquisition of Necessary Rights of Way

APPROVED
BY THE CITY COUNCIL

MAR 12 1985

OFFICE OF THE
CITY CLERK

SUMMARY

The Hearing on the formation of the Morrison Creek Assessment District and acquisition of necessary right of ways for said District was held on February 5, 1985 and continued to this date pending staff reporting on the protest received from property owners objecting to the District. It is requested that the Hearing be continued until March 12, 1985.

BACKGROUND INFORMATION

Staff requires additional time to resolve issues presented at the February 5, 1985, public hearing.

RECOMMENDATION

It is recommended that the Hearing be continued until March 12, 1985.

Respectfully submitted,

Thomas M. Finley

THOMAS M. FINLEY
Engineering Division Manager

Recommendation Approved:

Walter J. Slipe Jr.
WALTER J. SLIPE
City Manager

Approved:

Melvin H. Johnson
MELVIN H. JOHNSON
Director of Public Works

FILED
FEB 19 1985
OFFICE OF THE CITY CLERK

Cont 4-3-12-85

IEM:jd
RE:I/A-28

February 26, 1985
District No. 6



CITY OF SACRAMENTO

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DEPARTMENT OF PUBLIC WORKS

ENGINEERING

February 6, 1985

CITY MANAGER'S OFFICE
RECEIVED
FEB 7 1985

Administration, Rm. 300	(916) 449-5307
Architecture, Rm. 302	(916) 449-5307
Civil Engineering, Rm. 207	(916) 449-5281
Construction, Rm. 207	(916) 449-5281
Electrical Engineering, Rm. 304	(916) 449-5287
Real Estate, Rm. 300	(916) 449-5307
Public Works, Rm. 200	(916) 449-5307

City Council
Sacramento, California 95814

Honorable Members in Session:

SUBJECT: Establishing the Morrison Creek Assessment District, Improvement Proceeding No. 5068

FILED
FEB 12 1985
Cont. to 2-26-85
BY THE CITY CLERK
OFFICE OF THE CITY CLERK

SUMMARY

The Morrison Creek Assessment District is ready for formation. The hearing on the formation of the Morrison Creek Assessment District is set for this date. It is requested that the City Council adopt the attached Resolutions which overrules protest, determines public convenience and necessity, orders changes in Engineers Report and Assessments and adopts the Engineers Report and confirms assessments. It also reports on bids received for the project.

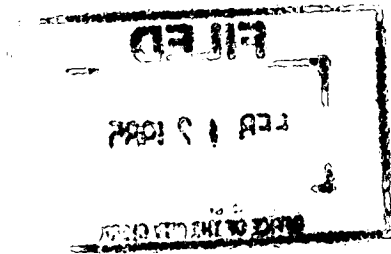
BACKGROUND INFORMATION

This District was initiated by owners of 54% of the land area within this District signing a petition requesting that various public improvements be installed.

The District comprises some 882 acres of industrial zoned property located southerly and easterly of the U.S. Army Signal Depot. The project consists of widening of Morrison Creek construction of concrete summer flow lining, storm drainage sewer, sanitary sewers, drainage pumping station, sanitary lift station, bridges and water mains.

Once these improvements are installed it will allow this area to develop into its full potential as a major light industrial center serving the southeast section of the city.

The section of Morrison Creek to be improved under this Assessment District is the only section of this channel that has not been improved within the limits of the City of Sacramento. The county has extensive development occurring along Morrison Creek up stream and easterly of the City Limits, and they are in the process of widening the channel under their jurisdiction. This development makes it imperative that the City widen Morrison Creek to handle the added storm drainage generated by the development in the county.



FEB 1 1987

Construction bids for this project were received on January 29, 1985, and are as follows:

Dyn Construction Corporation	\$4,741,106.02
Teichert Construction	5,382,626.10
Syblon-Reid Company	5,594,623.85
Granite Construction Company	5,627,817.70
Kiewit Pacific Company	5,862,226.00

The lowest bid, submitted by Dyn Construction Corporation, is 19.1% under the engineer's estimate of \$5,718,120.

We have been informed by the City Clerk that three (3) written protests have been received from the following property owners: Lawrence and Elaine Lim, George Hall, and James and Vera Dixon. These protests represent 28.6 acres, or 3.2% of area within the District.

FINANCIAL DATA

This project is estimated to cost \$7,515,023.97, and is being financed entirely by the property owners within the District and a contribution by the County of Sacramento for trunk sanitary sewer lines.

Contract Bid	\$4,741,136.02
Railroad Bridge to Reconstruct	168,695.00
Contingency	600,000.00
Right-of-Way	53,879.25
Incidental Expenses	1,951,343.70
Estimated Total Project Cost	7,515,023.97
Less Interest Earnings	- 100,000.00
Less County Contribution	- 716,922.50
Amount to be Assessed to Property Owners	<u>\$6,698,101.47</u>

RECOMMENDATION

It is recommended that the protest be overruled and the Hearing closed, and that the Council adopt the following Resolutions in the order listed below:

1. Resolution Overruling Protests on Resolution No. 84-1043 of Preliminary Determination and of Intention (4/5 vote);
2. Resolution Finding and Determining That Public Convenience and Necessity Require Proposed Acquisitions and Improvements (4/5 vote);
3. Resolution Ordering Reduction of Assessments;
4. Resolution Ordering Adopting Engineers Report, Confirming the Assessment and Ordering the Work and Acquisitions; and,
5. Resolution Designating Collection Officer.

Respectfully submitted,

Thomas M. Finley

THOMAS M. FINLEY
Engineering Division Manager

Approved:

Melvin H. Johnson
MELVIN H. JOHNSON
Director of Public Works

Recommendation Approved:

Walter J. Slipe Jr.

For: WALTER J. SLIPE
City Manager

IEM:jd
Attachments

February 12, 1985
District No. 6

3-12-85
#27

RECORDING REQUESTED BY AND

WHEN RECORDED RETURN TO:

Ron Wicky, Department of Public Works
City of Sacramento
915 - "I" Street, Room 200
Sacramento, CA 95814

Recorded in the County of Sacramento
John Dark, Clerk/Recorder



10.00

199507210665 10:04am 07/21/95

005 30000342 03 21
R01 2 7.00 3.00 0.00 0.00 0.00 0.00 0.00

NOTICE OF AMENDED ASSESSMENT

CITY OF SACRAMENTO

APPORTIONMENT OF AMENDED ASSESSMENT NUMBER 05/0001

Pursuant to the requirements of Section 3114 of the Streets and Highways Code of California, the undersigned City Clerk of the City of Sacramento, County of Sacramento, State of California, hereby gives notice than an Amended Diagram and Assessment Roll were recorded in the office of the City Engineer of the District, as provided for in said Section, and relating to the real property more particularly described on that certain Amended Assessment Diagram filed in accordance with said Section in Book 82 of Maps of Assessment and Community Facilities Districts at Page 15 in the office of the Recorder of the County of Sacramento.

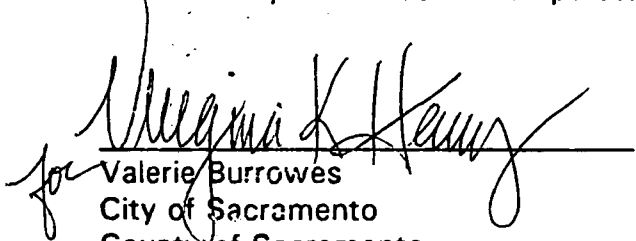
Said Amended Assessment Diagram amends Assessment Diagram, City of Sacramento, Improvement of "Morrison Creek Assessment District" filed the 12th day of March, 1985 in the office of said County Recorder in Book 49, at Page 8 of Maps of Assessment and Community Facilities Districts.

Notice is further given that upon the recording of this Notice in the office of said County Recorder, the several assessments assessed on the lots, pieces and parcels as shown on said filed Amended Assessment Diagram shall become a lien upon the lots or portions of lots assessed, respectively.

Reference is made to the Amended Diagram and Assessment Roll recorded in the office of said City Engineer of the District for the amount of each of the amended assessments.

The Assessment Roll, Exhibit "A", hereto attached and by reference is incorporated herein.

DATED: July 21, 1995


for Valerie Burrowes
City of Sacramento
County of Sacramento
State of California

**EXHIBIT "A"
ASSESSMENT ROLL**

MORRISON CREEK ASSESSMENT DISTRICT
CITY OF SACRAMENTO
COUNTY OF SACRAMENTO, CALIFORNIA

PREVIOUS ASSESSMENT		
ASMT. No.	ASSESSOR'S PARCEL No.	ASSESSMENT AMOUNT
1	064-0020-080-0000	\$ 34,960.01

TOTAL **\$ 34,960.01**

AMENDED ASSESSMENTS			
ASMT. No.	ASSESSOR'S PARCEL No.	PROPERTY OWNER	ASSESSMENT AMOUNT
05/0001-1	064-0020-082-0000	H A M S K 4	\$8,740.00
05/0001-2	064-0020-083-0000	H A M S K 4	\$8,740.01
05/0001-3	064-0020-084-0000	H A M S K 4	\$8,740.00
05/0001-4	064-0020-085-0000	H A M S K 4	\$8,740.00

TOTAL **\$34,960.01**

Recorded in the County of Sacramento
John Dark, Clerk/Recorder



10.00

199507260624 09:56am 07/26/95

005 13000516 13 17
R01 2 7.00 3.00 0.00 0.00 0.00 0.00 0.00

RECORDING REQUESTED BY AND

WHEN RECORDED RETURN TO:

Ron Wicky, Department of Public Works
City of Sacramento
915 - "I" Street, Room 200
Sacramento, CA 95814

NOTICE OF AMENDED ASSESSMENTS

CITY OF SACRAMENTO

APPORTIONMENT OF AMENDED ASSESSMENT NUMBER 03/0001

Pursuant to the requirements of Section 3114 of the Streets and Highways Code of California, the undersigned City Clerk of the City of Sacramento, County of Sacramento, State of California, hereby gives notice than an Amended Diagram and Assessment Roll were recorded in the office of the City Engineer of the District, as provided for in said Section, and relating to the real property more particularly described on that certain Amended Assessment Diagram filed in accordance with said Section in Book 82 of Maps of Assessment and Community Facilities Districts at Page 16 in the office of the Recorder of the County of Sacramento.

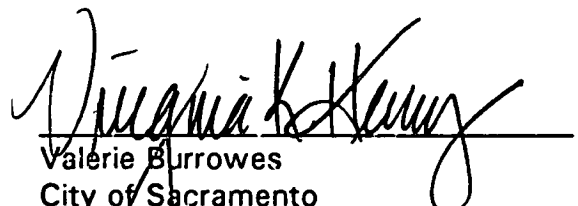
Said Amended Assessment Diagram amends Assessment Diagram, City of Sacramento, Improvement of "Morrison Creek Assessment District" filed the 12th day of March, 1985 in the office of said County Recorder in Book 49, at Page 8 of Maps of Assessment and Community Facilities Districts.

Notice is further given that upon the recording of this Notice in the office of said County Recorder, the several assessments assessed on the lots, pieces and parcels as shown on said filed Amended Assessment Diagram shall become a lien upon the lots or portions of lots assessed, respectively.

Reference is made to the Amended Diagram and Assessment Roll recorded in the office of said City Engineer of the District for the amount of each of the amended assessments.

The Assessment Roll, Exhibit "A", hereto attached and by reference is incorporated herein.

DATED: July 26, 1995


Valerie Burrowes
City of Sacramento
County of Sacramento
State of California

**EXHIBIT "A"
ASSESSMENT ROLL**

MORRISON CREEK ASSESSMENT DISTRICT
CITY OF SACRAMENTO
COUNTY OF SACRAMENTO, CALIFORNIA

PREVIOUS ASSESSMENT		
ASMT. NO.	ASSESSOR'S PARCEL NO.	ASSESSMENT AMOUNT
1	040-0121-025-0000	\$ 72,692.24

TOTAL
\$ 72,692.24

AMENDED ASSESSMENTS			
ASMT. NO.	ASSESSOR'S PARCEL NO.	PROPERTY OWNER	ASSESSMENT AMOUNT
03/0001-1	040-0121-028-0000	John M. Jackson, Sr., etc	\$20,806.66
03/0001-2	040-0121-029-0000	John M. Jackson, Sr., etc.	\$21,018.84
03/0001-3	040-0121-027-0000	John M. Jackson, Sr., etc.	\$30,866.74

TOTAL **\$72,692.24**

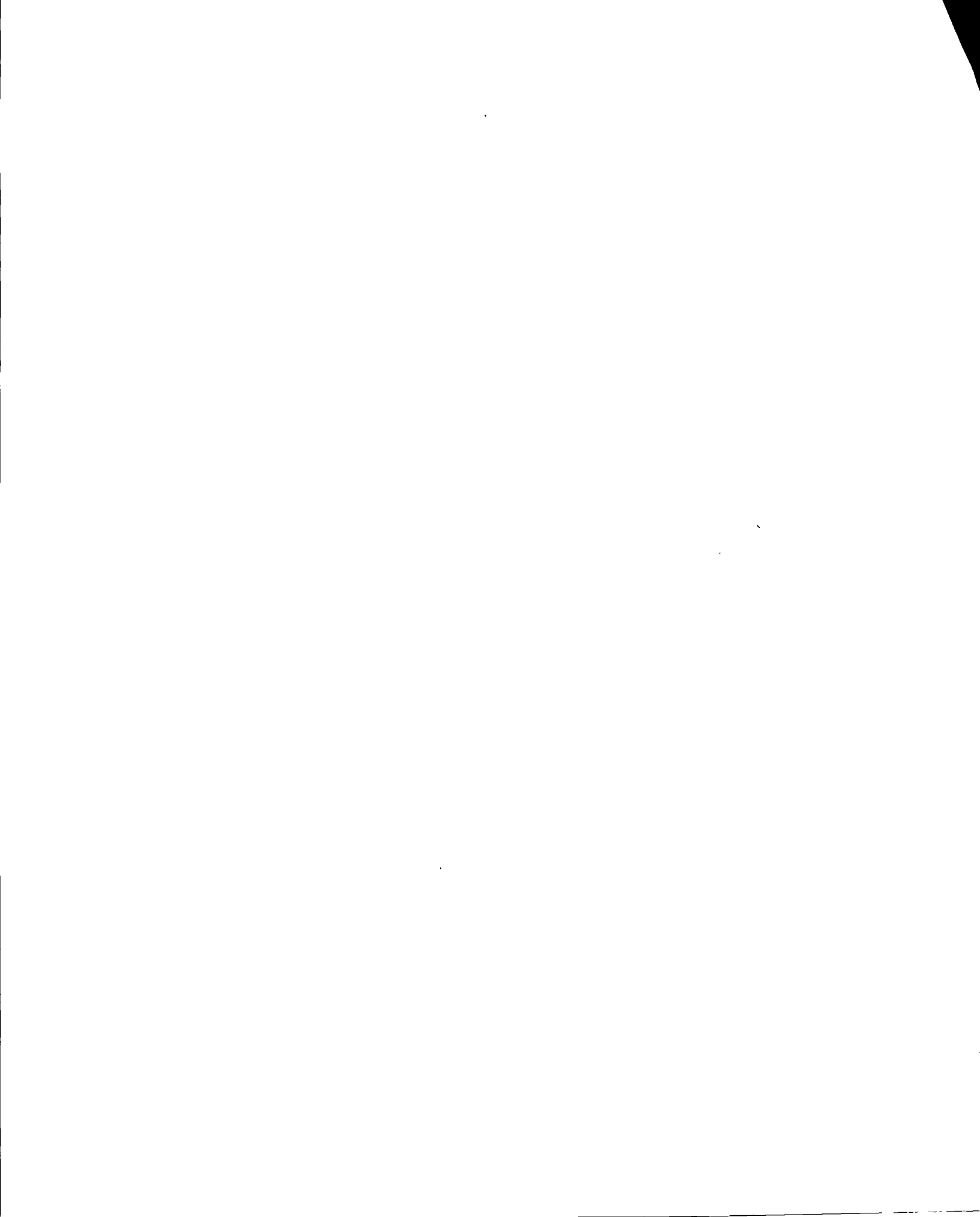
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AGENDA

FEBRUARY 12, 1985

MORRISON CREEK ASSESSMENT DISTRICT

- 1. Opening Statement by ~~the Mayor~~. *Band Council.*
- 2. Report by the Clerk as to Notices.
- 3. Staff Presentation.
- 4. Reading of Written Protests Against the Project and Opportunity for Staff Answers.
- 5. Reading of Written Endorsements of the Project.
- 6. Oral Presentations and Comments.
- 7. Report on Percentage of Protests.
- 8. Closing of Public Hearing.
- 9. Consideration of Project by Council.
- 10. Possible Council Action:
 - a) Resolution Overruling Protests on Resolution No. 84-1043 of Preliminary Determination and of Intention.
 - b) Resolution Finding and Determining that the Public Convenience and Necessity Require Proposed Acquisitions and Improvements.
 - c) Resolution Ordering Reduction of Assessments, (to be used only if the bids received for the work are lower than the estimate and the assessment is to be reduced).
 - d) Resolution of Preliminary Determination and of Intention to Make Changes and Modifications, (to be used only if the bids received for the work are higher than the estimate and the assessment is to be increased).
 - e) Resolution and Order Adopting Engineer's Report, Confirming the Assessment and Ordering the Work and Acquisitions.
 - f) Resolution Designating Collection Officer.



RESOLUTION NO. 85-180

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

FEBRUARY 12, 1985

APPROVED
BY THE CITY COUNCIL

A RESOLUTION OVERRULING PROTESTS ON
RESOLUTION NO. 84-1043 OF PRELIMINARY
DETERMINATION AND OF INTENTION

MAR 12 1985

OFFICE OF THE
CITY CLERK

MORRISON CREEK ASSESSMENT DISTRICT

RESOLVED, by the City Council of the City of Sacramento, County of Sacramento, California, that

WHEREAS, this Council did on December 18, 1984, adopt its Resolution No. 84-1043 of Preliminary Determination and of Intention, to acquire and construct public improvements in and for said City;

WHEREAS, on December 18, 1984, this Council adopted a resolution appointing time and place of hearing protests in relation to the proposed acquisitions and improvements and directing notice;

WHEREAS, notice was given of the time and place therein stated in the manner provided by law, as appears from the certificates and affidavits on file in the office of the City Clerk;

WHEREAS, said matter came on regularly for hearing at the time therein fixed; and

WHEREAS, all written protests and other written communications were publicly read at said meeting and all persons desiring to be heard were fully heard;

NOW, THEREFORE, IT IS ORDERED, as follows:

1. That protests against said acquisitions and improvements were not signed by the owners of a majority or more of the area of the lands within the assessment district, or of the area of the lands within the assessment district assessed for the cost and expenses of said acquisitions and improvements.
2. That said protests be, and each of them are hereby overruled.

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 12th day of February, 1985.

MAYOR

ATTEST:

CITY CLERK

RESOLUTION NO. 85-181

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

FEBRUARY 12, 1985

A RESOLUTION FINDING AND DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE PROPOSED ACQUISITIONS AND IMPROVEMENTS

APPROVED
BY THE CITY COUNCIL

Mar 12 1985

OFFICE OF THE
CITY CLERK

MORRISON CREEK ASSESSMENT DISTRICT

RESOLVED, by the City Council of the City of Sacramento, County of Sacramento, California, that

WHEREAS, on the 18th day of December, 1984, said Council, in accordance with and pursuant to the Municipal Improvement Act of 1913, Division 12 of the Streets and Highways Code of the State of California and Section 19 of Article XVI of the Constitution of the State of California, adopted its Resolution No. 84-1043 of Preliminary Determination and of Intention, wherein it did preliminarily determine that the public convenience and necessity require certain acquisitions and improvements therein described in general terms;

WHEREAS, said Council thereupon appointed Tuesday, the 12th day of February, 1985, at the hour of 7:30 o'clock p.m. of said day, in the regular meeting place of said Council, Council Chambers, City Hall, 915 I Street, Sacramento, California, as the time and place when and where any and all persons interested could appear and show cause why the Council should not find and determine that the public convenience and necessity require the proposed acquisitions and improvements without complying with Section 2800 and following of said Streets and Highways Code;

WHEREAS, it appears that notices of said hearing were duly and regularly posted, mailed and published in the time, form and manner required by said Act as evidenced by the certificates and affidavits on file with the City Clerk; and

WHEREAS, said hearing was duly and regularly held at the time and place advertised in said notices; persons interested appeared and showed cause why the Council should not make the findings and determinations hereinafter set forth; documentary and oral testimony on the question of public convenience and necessity was duly introduced and fully heard and considered by the Council; and all persons interested desiring to be heard were given an opportunity to be heard, and all matters and things

pertaining to said question of public convenience and necessity were submitted and fully heard and considered by said Council, and were overruled, and said Council has acquired jurisdiction to order said acquisitions and improvements and the confirmation of said diagram and assessment to pay the cost and expenses thereof;

NOW, THEREFORE, said Council does hereby FIND, DETERMINE and ORDER, that the public convenience and necessity require the proposed acquisitions and improvements as generally described in said Resolution No. 84-1043 and Section 2800 and following of said Streets and Highways Code shall not apply.

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 12th day of February, 1985.

MAYOR

ATTEST:

CITY CLERK

RESOLUTION NO. 85-182

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

APPROVED
BY THE CITY COUNCIL

FEBRUARY 12, 1985

MAR 12 1985

A RESOLUTION ORDERING REDUCTION OF ASSESSMENTS
OFFICE OF THE CITY CLERK

MORRISON CREEK ASSESSMENT DISTRICT

RESOLVED, by the City Council of the City of Sacramento, County of Sacramento, California, that

WHEREAS, the estimated cost of the project under Resolution No. 84-1043 of Preliminary Determination and of Intention, adopted by the City Council of said City on December 18, 1984, was \$9,175,193.16, of which the County of Sacramento was to contribute \$719,080.00 together with anticipated interest earnings of \$100,000.00, leaving an estimated amount of \$8,356,113.16 to be assessed; and

WHEREAS, following the opening of bids for the work the estimated cost of the project may be reduced to \$ 7,515,023.97 , of which the County of Sacramento will contribute the estimated amount of \$ 716,922.50 together with anticipated interest earnings of \$ 100,000.00 , leaving the estimated amount of \$ 6,698,101.47 to be assessed;

NOW, THEREFORE, IT IS HEREBY ORDERED that the total assessment is hereby reduced to \$ 6,698,101.47 and that each of the individual assessments shall be reduced by its pro rata share of the difference between the original assessment and the new assessment.

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 12th day of February, 1985.

MAYOR

ATTEST:

CITY CLERK

RESOLUTION NO. 85-183

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

FEBRUARY 12, 1985

APPROVED BY THE CITY COUNCIL

MAR 12 1985

A RESOLUTION AND ORDER ADOPTING ENGINEER'S REPORT, CONFIRMING THE ASSESSMENT AND ORDERING THE WORK AND ACQUISITIONS

OFFICE OF THE CITY CLERK

MORRISON CREEK ASSESSMENT DISTRICT

RESOLVED, by the City Council of the City of Sacramento, County of Sacramento, California, that

WHEREAS, on the 18th day of December, 1984, said Council adopted its Resolution No. 84-1043 of Preliminary Determination and of Intention to acquire and construct public improvements in said City, and referred the proposed acquisitions and improvements to the Director of Public Works of said City, being a competent person employed by said City for the purpose of having charge and control of the acquisition and construction of public improvements in and for said City of the kind described in said Resolution of Preliminary Determination and of Intention;

WHEREAS, said Council thereby directed said Director of Public Works to make and file with the City Clerk of said City, a report, in writing, in accordance with and pursuant to the Municipal Improvement Act of 1913, Division 12 of the Streets and Highways Code of the State of California;

WHEREAS, said report was duly made and filed with the City Clerk, whereupon the City Clerk presented it to this Council for consideration;

WHEREAS, said Council thereupon duly considered said report and each and every part thereof, and found that it contained all the matters and things called for by the provisions of said Act, including (1) plans and specifications of the proposed improvements, (2) estimate of costs, (3) diagram of district, (4) an assessment according to benefits, and (5) maps and descriptions of lands and easements to be acquired, all of which was done in the form and manner required by said Act;

WHEREAS, said Council found that said report and each and every part thereof was sufficient in every particular and determined that it should stand as the report for all subsequent proceedings under said Act and said Resolution of Preliminary Determination and of Intention, whereupon said Council, pursuant to the requirements of said Act,

appointed Tuesday, the 12th day of February, 1985, at the hour of 7:30 o'clock p.m. of said day in the regular meeting place of said Council, Council Chambers, City Hall, 915 I Street, Sacramento, California, as the time and place for hearing protests in relation to said acquisitions and improvements and directed the City Clerk of said City to give notice of said hearing as required by said Act;

WHEREAS, it appears that notices of said hearing were duly and regularly posted, mailed and published in the time, form and manner required by said Act, as evidenced by the certificates and affidavits on file with said City Clerk, whereupon said hearing was duly and regularly held at the time and place advertised in said notices; and

WHEREAS, persons interested objecting to said acquisitions and improvements, or to the extent of the assessment district, or to the proposed assessment or diagram, or to the grades at which said work will be done, or the Engineer's estimate of the cost and expenses thereof, or to the maps and descriptions, filed written protests with the City Clerk of said City at or before the time set for said hearing, and all persons interested, desiring to be heard, were given an opportunity to be heard and all matters and things pertaining to said acquisitions and improvements were fully heard and considered by said Council, and were overruled, and said Council has acquired jurisdiction to order said acquisitions and improvements and the confirmation of said diagram and assessment to pay the cost and expenses thereof;

NOW, THEREFORE, said Council does hereby FIND, DETERMINE and ORDER, as follows:

1. That the owners of one-half of the area of the property to be assessed for the cost of said project did not, at or prior to the time fixed for said hearing, file written protests against said proposed acquisitions and improvements as a whole, or against said district or the extent thereof to be assessed for the cost and expenses of said acquisitions and improvements as a whole, or as to the Engineer's estimate of cost and expenses of said project, or against the grades at which said work is proposed to be done, or against the maps and descriptions, or against the diagram and assessment to pay for the cost and expenses thereof.

2. That any and all protests made either to said proposed acquisitions and improvements, or the grades at which said work is proposed to be done, or the extent of the assessment district, or the amounts of the several assessments, or the maps and descriptions, and all persons desiring to be heard in relation to any of said matters, whether as protestants or otherwise, have been fully heard and considered, and have been overruled.

3. That the district benefited by said acquisitions and improvements and to be assessed to pay the cost and expenses thereof, and the exterior boundaries thereof, is the district described in said

Resolution of Preliminary Determination and of Intention and made a part hereof by reference thereto.

4. That all public streets and highways within said assessment district in use in the performance of a public function as such shall be omitted from said district and from the levy and collection of the special assessments to be hereafter levied and collected to cover the cost and expenses of said acquisitions and improvements.

5. That the Engineer's estimate of the itemized and total cost and expenses of said acquisitions and improvements, and of the incidental expenses in connection therewith, contained in said report, be, and it is hereby, finally adopted and approved as the Engineer's total and detailed estimate of the cost and expenses of said acquisitions and improvements.

6. That the plans and specifications for the proposed improvements contained in said report, be, and they are hereby, finally adopted and approved as the plans and specifications to which said work shall be done as called for in said Resolution of Preliminary Determination and of Intention.

7. That the public interest and convenience require, and said Council does hereby order the acquisitions and improvements to be made and done as described in and in accordance with said Resolution of Preliminary Determination and of Intention, on file in the office of the City Clerk of said City, reference to which is hereby made for a more particular description of said acquisitions and improvements and for further particulars pursuant to the provisions of said Act.

8. That the diagram showing the assessment district referred to and described in said Resolution of Preliminary Determination and of Intention and also the boundaries and dimensions of the respective subdivisions of land within said district as the same existed at the time of the passage of said Resolution of Preliminary Determination and of Intention, each of which subdivisions having been given a separate number upon said diagram as contained in said report, be, and it is hereby, finally approved and confirmed as the diagram of the properties to be assessed to pay the cost and expenses of said acquisitions and improvements.

9. That the assessment of the total amount of the cost and expenses of the proposed acquisitions and improvements upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by said subdivisions, respectively, from said acquisitions and improvements, and of the expenses incidental thereto, as contained in said report, be, and the same is hereby, finally approved and confirmed as the assessment to pay the cost and expenses of said acquisitions and improvements.

10. That the maps and descriptions of the acquisitions to be made, as contained in said report, be, and the same are hereby, approved and confirmed.

11. That said Engineer's Report be, and the same is hereby, finally adopted and approved as a whole.

12. That the City Clerk of this City shall forthwith deliver to the Superintendent of Streets of said City the assessment, together with said diagram thereto attached and made a part thereof as confirmed by this Council, with her certificate of such confirmation thereto attached and of the date thereof, and that said Superintendent of Streets shall forthwith record said diagram and assessment in his office in a suitable book to be kept for that purpose, and append thereto his certificate of the date of such recording, and such recordation shall be and constitute the assessment roll herein.

13. That the Collection Officer, upon the recording of said diagram and assessment, shall cause to be mailed to each owner of real property within the assessment district at his last known address as the same appears on the tax rolls, or on file in the office of the City Clerk, or to both addresses if said address is not the same, or to the general delivery when no address so appears, a statement containing a designation by street number or other description of the property assessed sufficient to enable the owner to identify the same, the amount of the assessment, the date of the recordation of said assessment, the time and place of payment thereof, the effect of failure to pay within such time, and a statement of the fact that bonds will be issued on unpaid assessments pursuant to the Improvement Bond Act of 1915, Division 10 of said Streets and Highways Code.

14. That said Collection Officer shall also cause Notice to Pay Assessments to be published in The Daily Recorder, a newspaper published and circulated in said City, that said assessment has been recorded and that all sums assessed thereon are due and payable immediately and that the payment of said sums is to be made within thirty (30) days after the date of recording said assessment, which date shall be stated in said notice, the effect of the failure to pay assessments within said period, and of the fact that bonds will be issued upon unpaid assessments as above provided. Said publication shall be made once a week for two successive weeks with at least five (5) days intervening between the respective publication dates, not counting such publication dates.

15. That final adoption and approval of the Engineer's Report as a whole, and of the plans and specifications, estimate of the cost and expenses, maps and descriptions of the lands and easements to be acquired, the diagram and the assessment, as contained in said Report, as hereinabove determined and ordered, is intended to and shall refer and apply to said Report, or any portion thereof, as amended, modified, revised or corrected by, or pursuant to and in accordance with any resolution or order, if any, heretofore duly adopted or made by this Council.

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 12th day of February, 1985.

MAYOR

ATTEST:

CITY CLERK

13

APPROVED
BY THE CITY COUNCIL

MAR 12 1985

OFFICE OF THE
CITY CLERK

February 12, 1985
CITY COUNCIL OF THE CITY OF SACRAMENTO

In the Matter of Improvement)
Proceeding No. 5068, Morrison)
Creek Assessment District No. 6)

ENGINEER'S REPORT

A Public Hearing is scheduled for this date pertaining to the proposed public improvement work in Morrison Creek Assessment District Improvement Proceeding No. 5068.

This public improvement proceeding has been undertaken due to the following facts:

1. That on December 18, 1984, the City Engineer presented to the Council the Resolution of Intention and Preliminary Determination declaring public convenience and necessity, a Report and Resolution Approving Report which set a Hearing on the project for this date.

2. The project would consist of widening Morrison Creek, constructing drainage pumping station, sanitary lift station, bridges, storm sewers, sanitary sewers and water mains in the area generally bounded by Unsworth Avenue, Elder Creek Road, Power Inn Road and Central California Traction Railroad right-of-way.

The purpose of the project is to construct these improvements in order to improve public health, safety and provide the area with trunk storm, sanitary sewers, water distribution system to enable this area to develop as a light industrial type center, as called for under its existing zoning.

3. That on December 28, 1984, Notices were mailed to all the property owners within the proposed Assessment District informing them of the proposed assessment on their property and the date of the Hearing on the Report and confirming of the Assessment.

4. That on January 9, 1985, copies of the Notice of Improvement were posted on all streets and easements within the proposed Assessment District pursuant to existing law.

5. That on December 24, and December 28, 1984, the Notice of Improvement for the proposed project was published in the Daily Recorder.

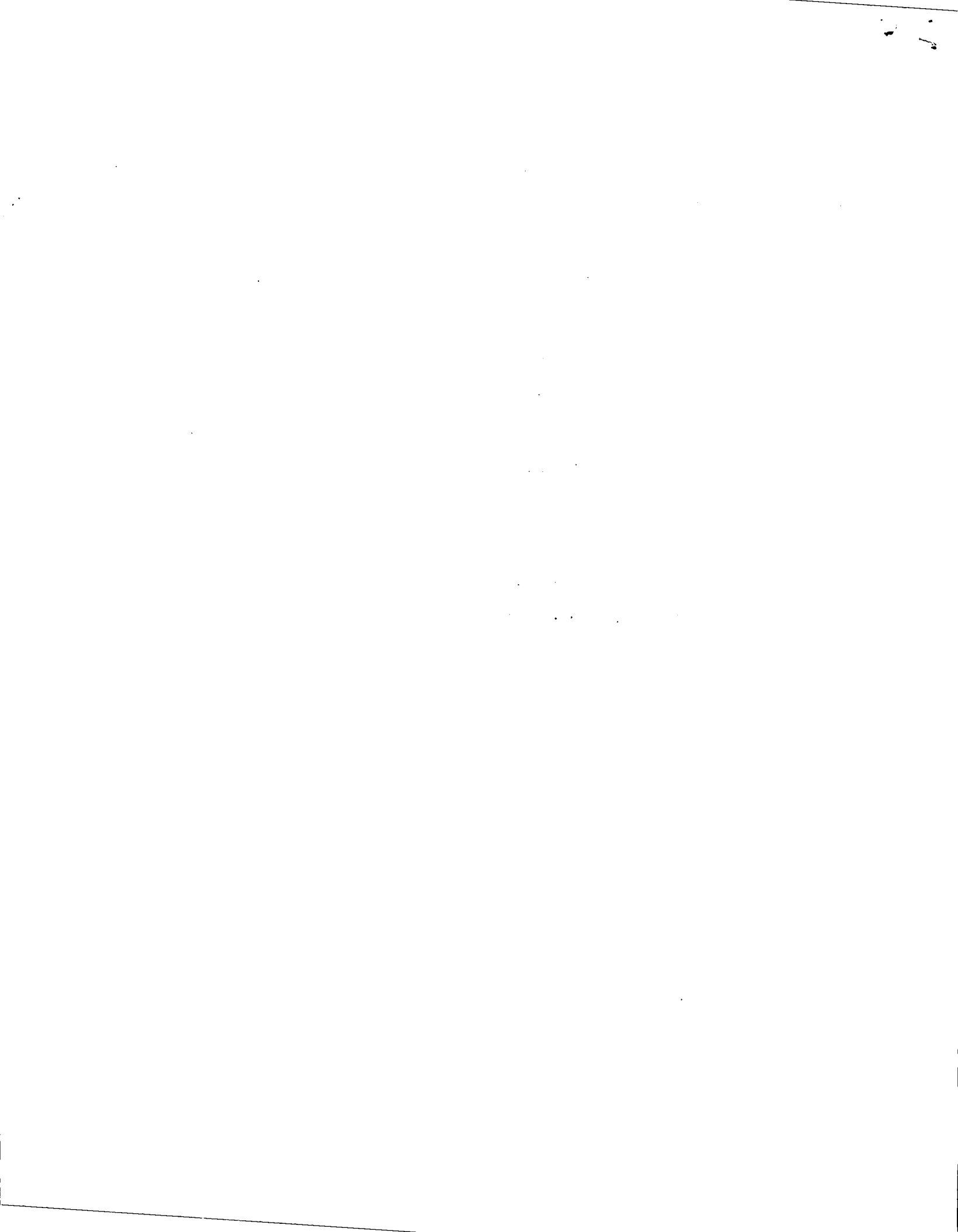
6. That as of February 6, 1985, three (3) written protests have been filed with the City Clerk objecting to the proposed improvements.

The protestants' names are: Lawrence and Elaine Lim, George Hall, and James and Vera Dixon, and represent 28.6 acres, or 3.2% of the total acreage within the District.

7. It is my opinion that said improvements will improve the aesthetics, health and safety of the neighborhood.

Executed this 12th day of February, 1985.

MELVIN H. JOHNSON
DIRECTOR OF PUBLIC WORKS



RESOLUTION NO. 85-184

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

FEBRUARY 12, 1985

APPROVED
BY THE CITY COUNCIL

MAR 12 1985

A RESOLUTION DESIGNATING COLLECTION OFFICER

OFFICE OF THE
CITY CLERK

MORRISON CREEK ASSESSMENT DISTRICT

RESOLVED, by the City Council of the City of Sacramento, County of Sacramento, California, that the Revenue Officer of this City be, and he is hereby, appointed Collection Officer and the person to whom payment of assessments shall be made under Resolution No. 84-1043 of Preliminary Determination and of Intention, adopted by this Council on December 18, 1984, and that his office in the City Hall, 915 I Street, Room 104, Sacramento, California, is hereby designated as the place at which the said payments will be made, and the Superintendent of Streets of said City is hereby relieved of all responsibility in connection with collecting said assessments.

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 12th day of February, 1985.

MAYOR

ATTEST:

CITY CLERK

NOTICE OF CONTINUANCE OF HEARING

MORRISON CREEK ASSESSMENT DISTRICT

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that the continued public hearing in the Morrison Creek Assessment District, being held by the City Council of the City of Sacramento, Sacramento County, California, scheduled for Tuesday, the 26th day of February, 1985, at the hour of 7:30 o'clock p.m., in the regular meeting place of said Council, Council Chambers, City Hall, 915 I Street, Sacramento, California, was further continued by order of the City Council of said City to Tuesday, the 12th day of March, 1985, at the hour of 7:30 o'clock p.m., in the regular meeting place of said Council, Council Chambers, City Hall, 915 I Street, Sacramento, California.

This Notice is posted in compliance with Section 54955.1 of the Government Code of the State of California.

Dated: February 27, 1985.



City Clerk of the City of Sacramento

CERTIFICATE OF POSTING
NOTICE OF CONTINUANCE OF HEARING

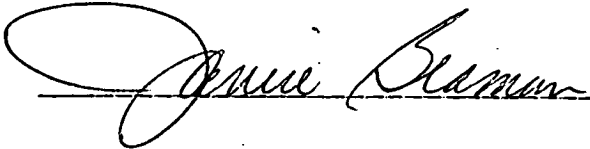
MORRISON CREEK ASSESSMENT DISTRICT

STATE OF CALIFORNIA)
) ss.
County of Sacramento)

The undersigned, _____, under penalty of perjury, certifies as follows:

That at the instance of and for and on behalf of the City Clerk of the City of Sacramento on the 27th day of February, 1985, she posted a Notice of Continuance of Hearing, a copy of which is hereto attached and by reference incorporated herein, conspicuously on or near the door of the place where the continued hearing was held within twenty-four (24) hours after the time of the continuance as required by Section 54955.1 of the Government Code of the State of California.

Executed on the 27th day of February, 1985, in the City of Sacramento, California.



AFFIDAVIT

ON February 13, 1985, A NOTICE OF HEARING, A TRUE AND CORRECT COPY OF WHICH IS ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN, WAS POSTED ON THE 2ND FLOOR PUBLIC BULLETIN BOARD AT 4:52 p.m. REGARDING FOLLOWING PROJECT:

Various matters relating to the Morrison Creek Assessment District.
(D6) (IP5068)

- A. Res. overruling protests on Res. 84-1043 of preliminary determination and of intention. (8 votes required)
- B. Res. finding and determining that the public convenience and necessity require proposed acquisitions and improvements. (8 votes required)
- C. Res. ordering reduction of assessments.
- D. Res. and order adopting engineer's report, confirming the assessment and ordering the work and acquisitions.
- E. Res. designating collection officer.

Res. of necessity for aquisition of the required twelve properties and right-of-ways necessary to construct the Improvements in the Morrison Creek Assessment District (Elder Creek Road and Florin-Perkins Road). (D6) (IP5068)

I DECLARE UNDER PENALTY OF PERJURY THE FOREGOING IS TRUE AND CORRECT. EXECUTED AT SACRAMENTO, CALIFORNIA, ON THE 13th DAY OF **February**, 1985.

Katharina M. J. Jensen
SIGNATURE OF PERSON POSTING NOTICE

CITY OF SACRAMENTO

NOTICE OF HEARINGS

PUBLIC NOTICE is hereby given that on February 2, 1985 the following hearing was continued to February 26, 1985, at the hour of 7:30 p.m., this hearing will be held in the Council Chamber, City Hall, Second Floor, 915 "I" Street, Sacramento, California:

Various matters relating to the Morrison Creek Assessment District. (D6) (IP5068)

- A. Res. overruling protests on Res. 84-1043 of preliminary determination and of intention. (8 votes required)
- B. Res. finding and determining that the public convenience and necessity require proposed acquisitions and improvements. (8 votes required)
- C. Res. ordering reduction of assessments.
- D. Res. and order adopting engineer's report, confirming the assessment and ordering the work and acquisitions.
- E. Res. designating collection officer.

Res. of necessity for aquisition of the required twelve properties and right-of-ways necessary to construct the Improvements in the Morrison Creek Assessment District (Elder Creek Road and Florin-Perkins Road). (D6) (IP5068)

Further information may be obtained from the Office of the City Clerk, 915 "I" Street, Room 203, Sacramento, California (916) 449-5426.

SACRAMENTO CITY COUNCIL

**BY: LORRAINE MAGANA
CITY CLERK**



CITY OF SACRAMENTO

DEPARTMENT OF PUBLIC WORKS

114
27 2/19

ENGINEERING DIVISION

THOMAS M. FINLEY
Engineering Division Manager

February 4th, 1985

CITY MANAGER'S OFFICE
RECEIVED
FEB 6 1985

FILED
FEB 12 1985
Cont. to 2-26-85
BY THE CITY CLERK
OFFICE OF THE CITY CLERK

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Hearing on the Resolution of Necessity for Acquisition of the Required Properties and Right-of-Ways Necessary to Construct the Improvements in the Morrison Creek Assessment District. (Elder Creek Road and Florin-Perkins Road)

SUMMARY

It is requested that the City Council adopt the Resolution of Necessity to acquire 1a individual right-of-ways necessary to construct improvements called for under Improvement Proceeding No. 5068, Morrison Creek Assessment District.

BACKGROUND INFORMATION

On December 18, 1984, the Council adopted several Resolutions establishing the proposed Morrison Creek Assessment District. To enable the City to install the improvements in said district requires that certain right-of-ways be acquired. Several of the owners have refused to sell the required right-of-way to the City, therefore it will be necessary to acquire these right-of-ways by the City exercising its Power of Eminent Domain.

There are 1a individual right-of-ways to be acquired. These parcels have been appraised by a private independent appraiser and he has placed a value of \$43,275.27 on the right-of-ways and related moving expenses.

We have been informed by the City Clerk that she has received three (3) written protests from the following property owners:

- Lawrence & Elaine Lim County Parcel No. 040-121-15 & 16
- George Hall County Parcel No. 040-121-03
- James & Vera Dixon County Parcel No. 064-020-21

The District comprises some 882.079 acres and the protestors' acreage amounts to 28.6 acres or 3.2% of the District.

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FINANCIAL DATA

The estimated cost of these acquisitions is \$43,275.47 and will be funded by the Assessment District at no cost to the City.

RECOMMENDATION

As the right-of-ways are necessary for the installation of the improvements to serve the area, it is recommended that the Hearing be closed and that the Council overrule the protests by adopting the attached Resolution of Necessity: Acquisition of Parcels, 8599-12, 8599-13, 8599-14, 8599-15, 8599-16, 8599-19, 8599-22, 8599-25, 8599-31, 8599-63, 8599-77 and 8599-92 for Morrison Creek Assessment District.

Respectfully submitted,



THOMAS M. FINLEY
Engineering Division Manager

Recommendation Approved



WALTER J. SLIPE
City Manager

APPROVED:



MELVIN H. JOHNSON
Director of Public Works

IEM:yg
Attachments

February 12, 1985
DISTRICT NO. 6

February 12, 1985
CITY COUNCIL OF THE CITY OF SACRAMENTO

In the Matter of Improving)	
Morrison Creek Assessment)	ENGINEER'S REPORT
District, Improvement)	
Proceeding No. 5068)	
)	

A Public Hearing is scheduled for this date pertaining to the acquisition of real property and right of way necessary for the construction of Morrison Creek Assessment District. This proposed project has been undertaken due to the following facts and will provide the following benefits:

1. That the real property and right of ways to be acquired are necessary for the construction of the storm and sanitary sewers to serve the area and allow properties within the District to develop.

2. That the City Council approved the Resolution of Preliminary Determination and of Intention for Morrison Creek Assessment District on December 18, 1984 setting a Hearing on the Engineer's Report and Assessment for this date.

3. That on May 26, 1981, the City approved the Negative Declaration for Morrison Creek Assessment District.

4. That on May 27, 1981, the City Engineer filed a Negative Declaration with the Clerk of the Board of Supervisors of Sacramento County, California, for said District.

5. That for the City of Sacramento to construct storm and sanitary sewers in Morrison Creek Assessment District requires the acquisition of real property and right of way described in the Resolution of Preliminary Determination and of Intention.

6. That the real property and right of way necessary to construct the sewers will amount to a partial take and no structures are being acquired, therefore, no homeowner or resident will be required to move.

7. That on January 8, 1985, the City Council adopted the Resolution Authorizing Giving Notice of Intent to Adopt Condemnation Resolution to acquire the necessary real property and right of way.

8. That the property and easements to be acquired are planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

9. That on January 9, 1985, the City Clerk mailed, by certified mail, notices of a Hearing to be held on February 12, 1985 for the adoption of the Resolution Authorizing Acquisition of Property By Exercise of the Power of Eminent Domain to all the known owners of said Parcels.

10. That the final day for receiving written requests to appear and be heard by the Council was January 25, 1985.

11. That the following property owners have filed a written protest objecting to taking their property

Lawrence and Elaine Lim
4313 Griffith Drive
Sacramento, CA. 95822

George Hall
8240 Berry Avenue
Sacramento, CA. 95828

James and Vera Dixon
8828 Elder Creek Road
Sacramento, CA. 95828

12. That the protesters' represent 28.6 acres or 3.2% of the total area within the proposed Assessment District.

It is recommended that the Hearing be closed, protests be overruled and the Council adopt the attached Resolution Authorizing Acquisition of Property By Exercise of the Power of Eminent Domain.

EXECUTED THIS 12TH DAY OF FEBRUARY, 1985.

MELVIN H. JOHNSON
DIRECTOR OF PUBLIC WORKS

RESOLUTION NO. 85-185

Adopted by The Sacramento City Council on date of

FEBRUARY 12, 1985

RESOLUTION OF NECESSITY: ACQUISITION OF PARCELS
8599-12, 8599-13, 8599-14, 8599-15, 8599-16, 8599-19,
8599-22, 8599-25, 8599-31, 8599-63, 8599-77 AND 8599-92
FOR MORRISON CREEK ASSESSMENT DISTRICT

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO,
TWO-THIRDS OF ALL MEMBERS OF SAID COUNCIL VOTING IN FAVOR
THEREOF:

1. That the City of Sacramento intends to acquire through the exercise of the power of eminent domain the real property or interests in real property hereinafter described as Parcels 8599-12, 8599-13, 8599-14, 8599-15, 8599-16, 8599-19, 8599-22, 8599-25, 8599-31, 8599-63, 8599-77 and 8599-92, (herein referred to as the "Subject Parcels").

2. That the City of Sacramento intends to acquire the Subject Parcels in fee simple absolute, public utility easement and temporary working easements as expressly specified in the description of said Parcels.

3. That the Subject Parcels are to be taken for the following public uses in connection with the Morrison Creek Assessment District: Pump station, public utility easement and temporary working easement.

4. That the statute or statutes authorizing the City of Sacramento to acquire the Subject Parcel for the above-mentioned public purposes are as follows: Government Code, Section 37350.5.

5. That the Subject Parcels are generally located in the vicinity of Elder Creek Road and Florin-Perkins Road, in the City of Sacramento.

6. That the City Council declares that it has found and determined each of the following:

a. The public interest and necessity requires the formation of the Morrison Creek Assessment District.

b. The property and easements to be acquired are planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

c. The Subject Parcels are necessary for the Morrison Creek Assessment District.

7. That the City of Sacramento, a municipal corporation, its appropriate officers, employees and agents, are hereby authorized and empowered:

a. To acquire in fee simple and easements in the name of the City of Sacramento, a municipal corporation, the Subject Parcels by condemnation in accordance with the provisions of the Eminent Domain Law of the State of California.

b. To prepare, file and prosecute in the appropriate court, such proceedings in eminent domain as are necessary for the acquisition of the Subject Parcels; and,

c. To deposit the probable amount of compensation, as fixed by the City Council in accordance with law, with the Clerk of the appropriate court and to make application to said court for an order permitting the City of Sacramento to take immediate possession and use of the Subject Parcels.

8. The Subject Parcels, being the real property or interest therein which the City is by this Resolution authorized to acquire is situated in the City of Sacramento, State of California, and described as follows:

Parcel 8599-12
Portion of APN 040-111-04
PUBLIC UTILITY EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
All that portion of Lot 5, Florin Acres, the official plat of which is recorded in Book 8 of Maps, Map No. 29, more particularly described as follows:
Beginning at the northwest corner of said Lot 5 and running thence along the North line thereof, North 89° 24' 18" East 504.21 feet; thence South 73° 19' 16" West 36.10 feet; thence South 89° 24' 18" West 469.53 feet to a point on the West line of said Lot 5; thence along the West line of said Lot 5, North 00° 35' 42" West 10.00 feet to the point of beginning; containing 4,869 square feet, more or less.

TEMPORARY WORKING EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
All that portion of Lot 5, Florin Acres, the official plat of which is recorded in Book 8 of Maps, Map No. 29, more particularly described as follows:
Beginning at a point on the West line of said Lot 5 from which the northwest corner thereof bears north 00° 35' 42" West 10.00 feet, and running thence North 89° 24' 18" East 469.53 feet; thence North 73° 19' 16" East 36.10 feet to a point on the North line of said Lot 5; thence

along said North line of said Lot 5, North 89° 24' 18" East 90.24 feet; thence South 73° 19' 16" West 126.33 feet; thence South 89° 24' 18" West 473.06 feet to a point on the West line of said Lot 5; thence along the West line of said Lot 5, North 00° 35' 42" West 25.00 feet to the point of beginning; containing 13,812 square feet, more or less.

Parcel No. 8599-13
Portion of APN 040-111-03
PUBLIC UTILITY EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
All that portion of Lot 6, Florin Acres, the official plat of which is recorded in Book 8 of Maps, Map No. 29, more particularly described as follows:
The North 10.00 feet of said Lot 6. Containing 4,957 square feet, more or less.

TEMPORARY WORKING EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
All that portion of Lot 6, Florin Acres, the official plat of which is recorded in Book 8 of Maps, Map No. 29, more particularly described as follows:.
The South 25.00 feet of the North 35.00 feet of said Lot 6; containing 12,392 square feet, more or less.

Parcel No. 8599-14
Portion of APN 040-111-02
PUBLIC UTILITY EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
All that portion of Lot 7, Florin Acres, the official plat of which is recorded in Book 8 of Maps, Map No. 29, more particularly described as follows:
The North 10.00 feet of said Lot 7. Containing 4,957 square feet, more or less.

TEMPORARY WORKING EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
All that portion of Lot 7, Florin Acres, the official plat of which is recorded in Book 8 of Maps, Map No. 29, more particularly described as follows:
The South 25.00 feet of the North 35.00 feet of said Lot 7; containing 12,392 square feet, more or less.

Parcel No. 8599-15
Portion of APN 004-101-01
TEMPORARY WORKING EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
All that portion of Lot 1, Florin Acres, the official plat of which is recorded in Book 8 of Maps, Map No. 29, more particularly described as follows:
Beginning at a point on the East line of said Lot 1, from which the Southeast corner thereof bears South 00° 35' 42" East 5.00 feet and running thence South 89° 24' 18" West 268.46 feet; thence South 00° 35' 42" East 5.00 feet to a point on the South line of said Lot 1; thence along the South line of said Lot 1, South 89° 24' 18" West 25.00 feet; thence North 00° 35' 42" West 30.00 feet; thence North 89° 24' 18" East 293.46 feet, to a point on the East line of said Lot 1; thence along the East line of said Lot 1, South 00° 35' 42" East 25.00 feet to the point of beginning; containing 7,461 square feet, more or less.

Parcel No. 8599-16
Portion of APN 040-111-01
PUBLIC UTILITY EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
All that portion of Lot 8, Florin Acres, the official plat of which is recorded in Book 8 of Maps, Map No. 29, more particularly described as follows:
The North 10.00 feet of the East 7.71 feet of said Lot 8. Containing 77 square feet, more or less.

TEMPORARY WORKING EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
All that portion of Lot 8, Florin Acres, the official plat of which is recorded in Book 8 of Maps, Map No. 29, more particularly described as follows:
Beginning at a point on the East line of said Lot 8 from which the Northeast corner thereof bears North 00° 35' 42" West 10.00 feet and running thence along said East line South 00° 35' 42" East 25.00 feet; thence South 89° 24' 18" West 32.71 feet; thence North 00° 35' 42" West 35.00 feet to a point on the North line of said Lot 8; thence along the North line of said Lot 8, North 89° 24' 18" East 25.00 feet; thence South 00° 35' 42" East 10.00 feet; thence North 89° 24' 18" East 7.71 feet to the point of beginning; containing 1068 square feet, more or less.

Parcel No. 8599-19
Portion of APN 040-121-16
PUBLIC UTILITY EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
All that portion of the land described in Grant Deed recorded in Book 810227 of Official Records, Page 1368, said land being a portion of Lot 10, Florin Acres, the official plat of which is recorded in Book 8 of Maps, Map No. 29, more particularly described as follows:
The North 20.00 feet of the South 30.00 feet of said land. Containing 0.049 acre, more or less.

TEMPORARY WORKING EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
All that portion of the land described in Grant Deed recorded in Book 810227 of Official Records, Page 1368, said land being a portion of Lot 10, Florin Acres, the official plat of which is recorded in Book 8 of Maps, Map No. 29, more particularly described as follows:
The North 25.00 feet of the South 55.00 feet of said land. Containing 0.061 acre, more or less.

Parcel No. 8599-22
Portion of APN 040-121-15
PUBLIC UTILITY EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
All that portion of Lot 10, Florin Acres, the official plat of which is recorded in Book 8 of Maps, Map No. 29, more particularly described as follows:
All that portion of the land described as Parcel 1 in Book 810227 of Official Records, Page 1371, more particularly described as follows:
The North 20.00 feet of the South 30.00 feet of said land. Containing 0.147 acre, more or less.

TEMPORARY WORKING EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
All that portion of Lot 10, Florin Acres, the official plat of which is recorded in Book 8 of Maps, Map No. 29, more particularly described as follows:
All that portion of the land described as Parcel 1 in Book 810227 of Official Records, Page 1371, more particularly described as follows:
The North 25.00 feet of the South 55.00 feet of said land. Containing 0.183 acre, more or less.

Parcel No. 8599-25
Portion of APN 040-121-03
PUBLIC UTILITY EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
All that portion of Lot 12, Florin Acres, the official plat of which is recorded in Book 8 of Maps, Map No. 29, more particularly described as follows:
The South 15.00 feet of said Lot 12. Containing 0.170 acre, more or less.

TEMPORARY WORKING EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
All that portion of Lot 12, Florin Acres, the official plat of which is recorded in Book 8 of Maps, Map No. 29, more particularly described as follows:
The North 50.00 feet of the South 65.00 feet of said Lot 12. Containing 0.567 acre, more or less.

Parcel No. 8599-31
Portion of APN 064-010-27
Fee Simple

All that certain real property situate in the City of Sacramento, California, described as follows:
All that portion of Parcel 2, as the same is described in Book 68-02-06 of Official Records, Page 539, and shown on the Record of Survey recorded in Book 28 of Surveys, Page 18, more particularly described as follows:
Beginning at the Northeast corner of said Parcel 2, said corner being on the North line of Section 35, T. 8 N., R. 5 E., M.D.B. & M., and running thence along the East line of said Parcel 2, South 00° 39' 15" East 172.00 feet; thence South 89° 20' 45" West 15.00 feet; thence North 00° 39' 15" West 172.00 feet to a point on the North line of said Parcel 2; thence along the North line of said Parcel 2, North 89° 21' 32" East 15.00 feet to the point of beginning; containing 2,130 square feet, more or less.

TEMPORARY WORKING EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
 All that portion of Parcel 2, as the same is described in Book 68-020-06 of Official Records, Page 539, and shown on the Record of Survey recorded in Book 28 of Surveys, page 18, more particularly described as follows: Beginning at a point on the North line of said Parcel 2, said point being on the North line of Section 35, T. 8 N., R. 5 E., M.D.B. & M., from which the Northeast corner of said Parcel 2 bears North 89° 21' 32" East 15.00 feet and running thence South 00° 39' 15" East 172.00 feet; thence North 89° 20' 45" East 15.00 feet to a point on the East line of said Parcel 2 the following three (3) courses and distances: (1) South 00° 39' 15" East 439.13 feet, (2) South 89° 20' 45" West 544.77 feet and (3) along a curve to the right having a radius of 382.25 feet and a central angle of 04° 55' 11", the chord of which bears North 88° 11' 39" West 32.81 feet; thence North 45° 19' 30" East 33.95 feet; thence North 89° 20' 45" East 503.14 feet; thence North 00° 39' 15" West 586.14 feet to a point on the North line of said Parcel 2; thence along the North line of said Parcel, North 89° 21' 32" East 35.00 feet to the point of beginning; containing 40,861 square feet, more or less.

Parcel No. 8599-63
 Portion of APN 064-020-21
 PUBLIC UTILITY EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
 All that portion of Section 36, T. 8 N., R. 5 E., M.D.B. & M., more particularly described as follows:
 The North 15.00 feet of the South one-half of the West one-half of the East 60 acres of the Northeast one-quarter of said Section 36. Containing 7,390 square feet, more or less.

TEMPORARY WORKING EASEMENT

All that certain real property situate in the City of Sacramento, described as follows:
 All that portion of Section 36, T. 8 N., R. 5 E., M.D.B. & M., more particularly described as follows:
 The South 25.00 feet of the North 40.00 feet of the South one-half of the West one-half of the East 60 acres of the Northeast one-quarter of said Section 36; EXCEPTING THEREFROM the South 15.00 feet of the West 275.00 feet; with said described parcel containing 8195 square feet, more or less.

Parcel No. 8599-77
Portion of APN 062-050-21
PUBLIC UTILITY EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:

The North 12.50 feet of the following described property:

All that portion of the Southwest one-quarter of Section 25, Township 8 North, Range 5 East, M.D.B. & M., described as follows:

Beginning at a point in the center line of the Perkins-Florin Road, said point being located North 0° 16 1/2' West 1102.0 feet and South 89° 46' West 30 feet from an iron pipe located on the Easterly line of the Perkins-Florin Road and on the center line of a County Road running in an Easterly and Westerly direction along the Southerly boundary line of Section 25, Township 8 North, Range 5 East, and running thence from said point of beginning North 89° 48' East (parallel to the North line of that certain tract of land conveyed by a Deed dated January 9, 1951, recorded January 10, 1951, in Book 1973 of Official Records, Page 174, executed by Lora B. Thomas, a widow, to Frank Losco and Marcella Losco, his wife) 993.45 feet to a point on the West line of that certain tract of land conveyed by a deed dated November 17, 1953, recorded December 3, 1953, in Book 2516 of Official Records, Page 589, executed by Frank Losco and Marcella Losco, his wife, to Max Ramp and Martha Ramp, his wife; thence North 0° 09' West along the West line of the property so conveyed to the Northwest corner thereof; thence South 89° 48' West 993.95 feet along the North line of said parcel of land conveyed to Frank Losco and wife to the center line of the Perkins-Florin Road; thence along the center line of the Perkins-Florin Road South 0° 16 1/2' East 220 feet to the point of beginning; containing 12,424 square feet, more or less.

Parcel No. 8599-92
Portion of APN 062-080-06
Fee Simple

All that certain real property situate in the City of Sacramento, California, described as follows:

All that portion of Section 25, T. 8 N., R. 5 E., M.D.B. & M., more particularly described as follows:

Beginning at a point on the Southwesterly right of way line of the Central California Traction Company Railroad,

from which point the Northwest corner of the East 1/2 of said Section 25 bears the following five (5) courses and distances: (1) South 81° 44' 21" West 15.60 feet, (2) North 72° 43' 28" West 178.00 feet, (3) North 35° 09' 15" West 86.60 feet, (4) North 62° 03' 11" West 76.16 feet, and (5) North 00° 33' 24" West 1847.38 feet and running thence South 81° 44' 21" West 15.60 feet; thence North 72° 43' 28" West 111.84 feet; thence North 07° 30' 17" East 24.20 feet; thence North 52° 30' 17" East 63.50 feet to a point on the Southwesterly right of way line of the Central California Traction Company Railroad; thence along the Southwesterly right of way line of the Central California Traction Company Railroad, South 36° 16' 11" East 116.12 feet to the point of beginning; containing 5577 square feet, more or less.

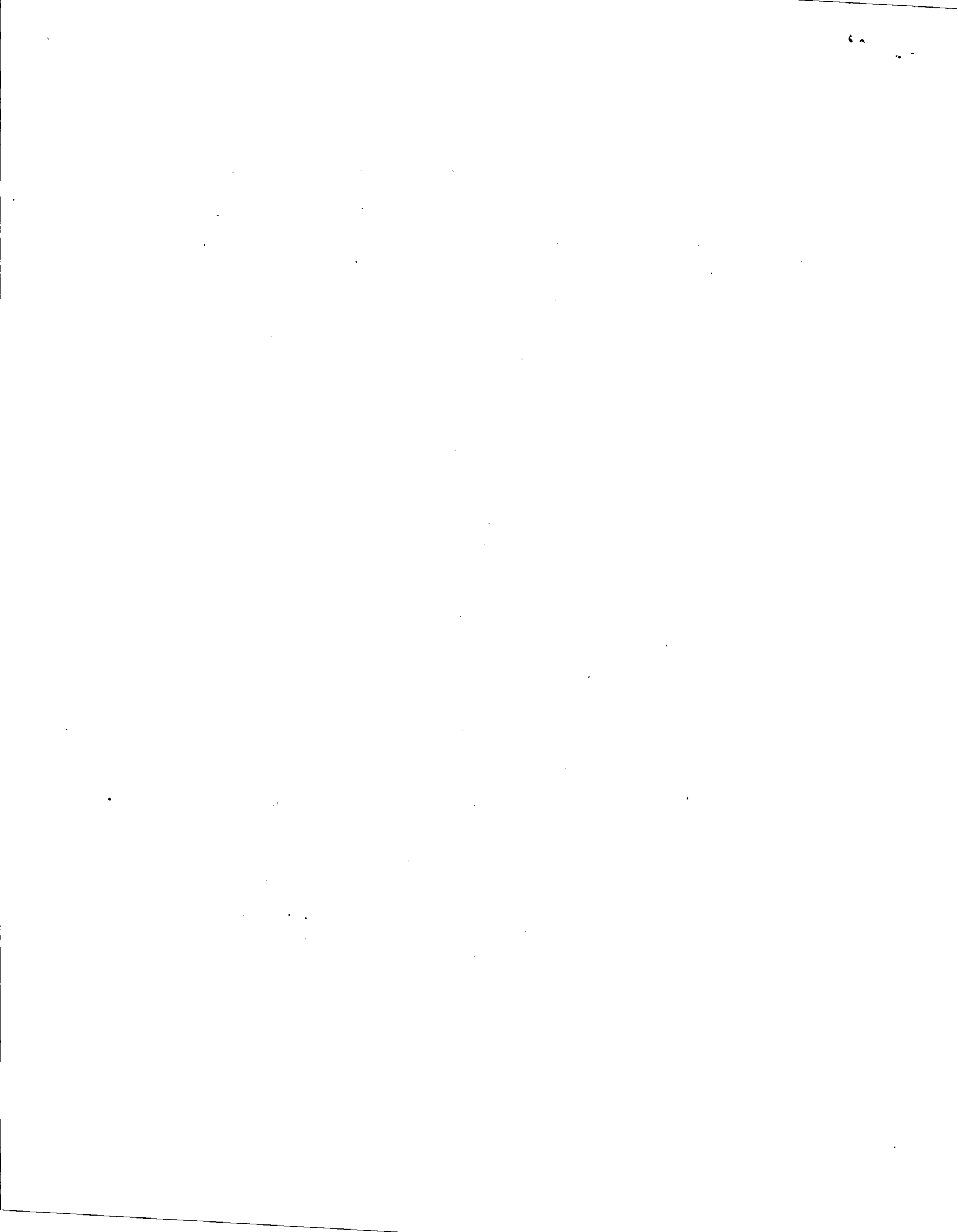
TEMPORARY WORKING EASEMENT

All that certain real property situate in the City of Sacramento, California, described as follows:
 All that portion of Section 25, T. 8 N., R. 5 E., M.D.B. & M., more particularly described as follows:
 Beginning at a point on the Southwesterly right of way line of the Central California Traction Company Railroad, from which point the Northwest corner of the East 1/2 of said Section 25 bears the following six (6) courses and distances: (1) South 52° 30' 17" West 63.50 feet, (2) South 07° 30' 17" West 24.20 feet, (3) North 72° 43' 28" West 66.16 feet, (4) North 35° 09' 15" West 86.60 feet, (5) North 62° 03' 11" West 76.16 feet, and (6) North 00° 33' 24" West 1847.38 feet, and running thence South 52° 30' 17" West 63.50 feet; thence South 07° 30' 17" West 24.20 feet; thence North 72° 43' 28" West 66.16 feet; thence North 35° 09' 15" West 86.60 feet; thence North 62° 03' 11" West 76.16 feet to a point on the West line of the East 1/2 of said Section 25, from which the Northwest corner thereof bears North 00° 33' 24" West 1847.38 feet; thence along the West line of the East 1/2 of said Section 25, North 00° 33' 24" West 80.00 feet; thence South 60° 45' 42" East 132.44 feet; thence South 33° 05' 45" East 65.19 feet; thence South 66° 18' 16" East 68.48 feet; thence North 52° 30' 17" East 18.71 feet to a point on the Southwesterly right of way line of the Central California Traction Company Railroad; thence along said Southwesterly right of way line South 36° 16' 11" East 10.00 feet to the point of beginning; containing 17,089 square feet, more or less.

 MAYOR

ATTEST:

 CITY CLERK



13 & 14

RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO

WILSON MORTON ASSAF & McELLOGOTT

JAN 30 11 54 AM '85

ERNEST A. WILSON
OF COUNSEL

ATTORNEYS AT LAW

630 NORTH SAN MATEO DRIVE
P. O. BOX 152
SAN MATEO, CALIFORNIA 94401
(415) 342-3523

JAMES T. MORTON
PHILIP D. ASSAF
PEGGY L. McELLOGOTT (1926-1982)
THOMAS R. ADAMS
SHERROD S. DAVIS
GERALD A. LASTER
JAMES L. COPELAND
MAYER A. DANIEL
JOAN E. BRIDY

JAMES M. PARMELEE
ROBERT K. BOOTH, JR.
DEBRA L. CAUBLE
KEVIN J. SHANNON
JAMES A. HILDEBRAND
EDGAR J. STEELE

PLEASE REPLY TO:

P. O. BOX 152
SAN MATEO, CA 94401

January 29, 1985

City of Sacramento
City Hall
915 I Street, Room 300
Sacramento, CA 95814

ATTENTION: Mr. Irvin E. Moraes,
Real Property Supervisor

RE: MORRISON CREEK ASSESSMENT DISTRICT

Dear Irv:

Enclosed herewith for the agenda of February 12, 1985, please find the following documents:

1. Proposed form of Agenda for the conduct of the hearing.
2. Opening Statement to be made by the Mayor.
3. City Clerk's Statement as to the posting, publication and mailing of notices.
4. Form of Excerpt of Minutes. This will give you the order of adoption of each of the resolutions and may be utilized for the meeting.

The above three items are informational and I hope will be of some use in the conduct of the hearing. Under the Staff Presentation, number 3 in the Agenda, the Director of Public Works will be presenting his testimony as to the assessment district. This should be reduced to writing and a copy furnished to the City Clerk by the Director of Public Works for incorporation into the minutes. This statement should contain all of the evidence necessary for the determination of benefits.

After the closing of the hearing and if the project is to proceed, the City Council should consider the adoption of the following resolutions:



City of Sacramento
Attn: Mr. Irvin E. Moraes

January 29, 1985
Page Two

1. A Resolution Overruling Protests on Resolution No. 84-1043 of Preliminary Determination and of Intention. The adoption of this resolution requires a 4/5ths vote if there is a majority protest. If there is no majority protest, the resolution may be adopted by a majority vote of the Council.

2. A Resolution Finding and Determining that the Public Convenience and Necessity Require Proposed Acquisitions and Improvements. This resolution must be adopted by an affirmative 4/5ths vote of the Council regardless of the amount of protests.

3. A Resolution Ordering Reduction of Assessments. This resolution is to be adopted only if the assessments are to be reduced. The figures to be filled into the blanks in the resolution are to be supplied to the City Clerk prior to the meeting. If it is not necessary to adopt this resolution, it can be discarded.

4. A Resolution of Preliminary Determination and of Intention to Make Changes and Modifications. This resolution is to be adopted only if the assessments are to be increased. Once again, the figures to be filled into the blanks are to be supplied to the City Clerk prior to the meeting together with the date of the hearing thereon. If it is not necessary to adopt this resolution, it can be discarded. I am forwarding this resolution and the resolution in the last preceding paragraph to you in order that all bases can be covered.

5. A Resolution and Order Adopting Engineer's Report, Confirming the Assessment and Ordering the Work and Acquisitions.

6. A Resolution Designating Collection Officer. This resolution will designate the Revenue Officer as Collection Officer for the assessments during the cash payment period. The adoption of this resolution will relieve the Superintendent of Streets from all duties with regard thereto.

Also enclosed is the Notice of Assessment. This Notice is to be signed by the City Clerk and the original recorded immediately in the office of the County Recorder. At the same time, a copy of the diagram with all of the certificates filled in should be filed in the office of the County Recorder. The filing information on the Assessment Diagram, which should be filed first, should be filled in on the Notice of Assessment. The Notice of Assessment should be dated, signed by the City Clerk and recorded with the County Recorder. Prior to recordation, a list of the names of the assessed owners, without addresses, as they appear on the latest secured roll should be marked Exhibit "A" and attached to the Notice of Assessment.

City of Sacramento
Attn: Mr. Irvin E. Moraes

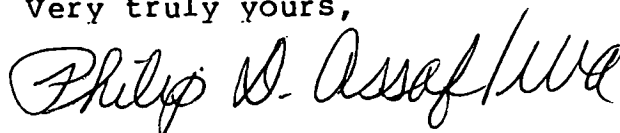
January 29, 1985
Page Three

Also enclosed is the Notice to Pay Assessment for publication, with memoranda thereto attached giving full instructions.

Upon adoption, I would appreciate receiving three certified copies of each of the documents for my files.

Please advise any questions.

Very truly yours,



for WILSON MORTON ASSAF & McELLIGOTT

PDA:rva
Enclosures
49-022Z

cc w/encl: Lawrence M. Lunardini, Esq., Deputy
City Attorney, City of Sacramento
Ms. Lorraine Magana, City Clerk,
City of Sacramento

CITY CLERK'S STATEMENT

FEBRUARY 12, 1985

MORRISON CREEK ASSESSMENT DISTRICT

Notices have been posted, published and mailed as required by the Municipal Improvement Act of 1913. Affidavits and certificates of posting, publishing and mailing are on file in my office. A copy of the Engineer's Report prepared by the Engineer was filed in my office on December 18, 1984, and has been open to public inspection since that time.

EXCERPT OF MINUTES OF THE CITY COUNCIL
OF THE CITY OF SACRAMENTO, CALIFORNIA

FEBRUARY 12, 1985

The City Council of the City of Sacramento, County of Sacramento, California, met in regular session on February 12, 1985, in the regular meeting place of said Council, Council Chambers, City Hall, 915 I Street, Sacramento, California, at 7:30 o'clock p.m.

ROLL CALL

On roll call there were present, Councilmembers:

Also present were:

* * * * *

MORRISON CREEK ASSESSMENT DISTRICT

The Mayor announced that this was the time and place of hearing on the Engineer's Report prepared pursuant to the Municipal Improvement Act of 1913 and Resolution No. 84-1043 of Preliminary Determination and of Intention. The staff submitted the Engineer's Report and evidence relating to the method of spread of assessment in accordance with benefits. All written protests were read by the Clerk (and all other statements, both written and oral, evidence and facts presented during the course of the hearing should be entered as complete as possible in the minutes), considered by the Council and ordered filed. The Mayor asked if there was anyone present desiring to be heard and all those wishing to speak were given the opportunity. (All comments, both from oral protestants and answers to protestants, should be set out in detail in the minutes.) After discussion and consideration by the Council, the hearing was ordered closed.

Resolution No. _____, A Resolution Overruling Protests on Resolution No. 84-1043 of Preliminary Determination and of Intention, was read. On motion of Councilmember _____, seconded by Councilmember _____ and unanimously carried, said Resolution was adopted.

Resolution No. _____, A Resolution Finding and Determining that the Public Convenience and Necessity Require Proposed Acquisitions and Improvements, was read. On motion of Councilmember _____, seconded by Councilmember _____ and unanimously carried, said Resolution was adopted.

Resolution No. _____, A Resolution Ordering Reduction of Assessments, (to be used only if the bids received for the work are lower than the estimate and the assessment is to be reduced), was read. On motion of Councilmember _____, seconded by Councilmember _____ and unanimously carried, said Resolution was adopted.

Resolution No. _____, A Resolution of Preliminary Determination and of Intention to Make Changes and Modifications, (to be used only if the bids received for the work are higher than the estimate and the assessment is to be increased), was read. On motion of Councilmember _____, seconded by Councilmember _____ and unanimously carried, said Resolution was adopted.

Resolution No. _____, A Resolution and Order Adopting Engineer's Report, Confirming the Assessment and Ordering the Work and Acquisitions, was read. On motion of Councilmember _____, seconded by Councilmember _____ and unanimously carried, said Resolution was adopted.

The Engineer reported the following bids on the work had been received:

NAME

AMOUNT

Resolution No. _____, A Resolution Designating Collection Officer, was read. On motion of Councilmember _____, seconded by Councilmember _____ and unanimously carried, said Resolution was adopted.

* * * * *

ADJOURNMENT

There being no further business, the meeting was adjourned at _____ o'clock __.m. on _____, 1985.

City Clerk

WILSON MORTON ASSAF & McELLIGOTT
P. O. Box 152
San Mateo, CA 94401
(415) 342-3523

Date 01/29/85

C O M M U N I C A T I O N

Attention Ms. Lorraine Magana From Mr. Philip D. Assaf

Re: MORRISON CREEK ASSESSMENT DISTRICT

NOTICE TO PAY ASSESSMENTS
(PUBLISHED)

A copy to be published once a week for two successive weeks in The Daily Recorder with at least five days intervening between publication dates, not counting publication dates. Please send us three copies of the Affidavit of Publication.

In the first blank, insert the date of recording the assessment in the office of the Superintendent of Streets; and in the second blank, the 30th day thereafter.



NOTICE TO PAY ASSESSMENTS

MORRISON CREEK ASSESSMENT DISTRICT

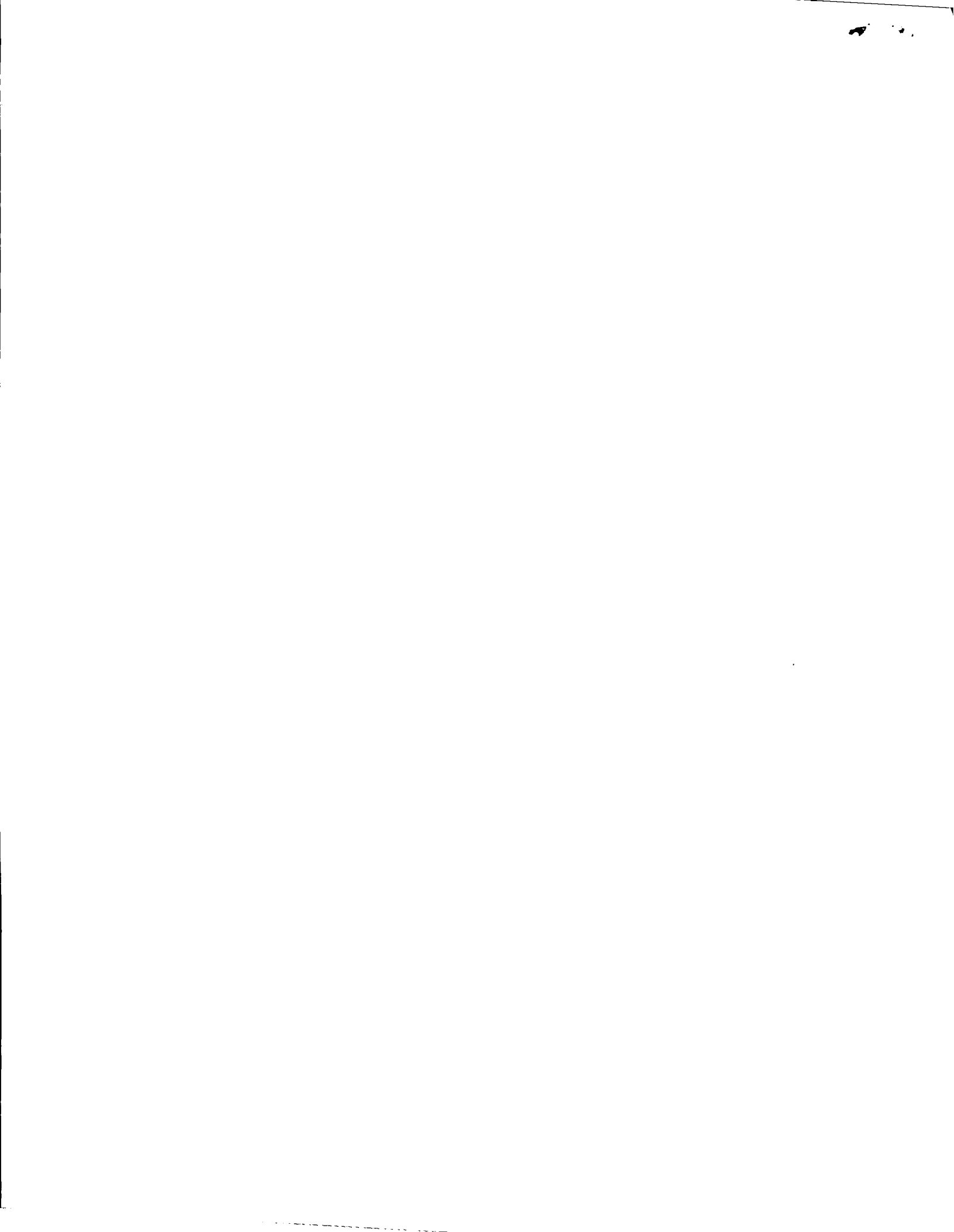
NOTICE IS HEREBY GIVEN that all owners of real property liable to be assessed to pay the cost and expenses of the acquisitions and improvements described in Resolution No. 84-1043 of Preliminary Determination and of Intention, adopted by the City Council of the City of Sacramento on December 18, 1984, are hereby notified that on _____, 1985, the assessment and diagram to pay the cost and expenses of said acquisitions and improvements were recorded in the office of the Superintendent of Streets of the City of Sacramento.

Assessments are due and payable immediately at the office of the Collection Officer, Revenue Officer, City Hall, 915 I Street, Room 104, Sacramento, California, and must be paid within the period expiring _____, 1985. Payment must be received by the Collection Officer by the close of business of said expiration date. Said assessments may be paid in whole or in part during said period.

In the event of the failure to pay before the expiration of said period, serial bonds to represent the unpaid portions of assessments and to bear interest at the rate of not to exceed twelve percent (12%) per annum will be issued pursuant to the Improvement Bond Act of 1915, Division 10 of the Streets and Highways Code of the State of California, and the last installment of such bonds shall mature not to exceed fourteen (14) years from the second of July next succeeding ten (10) months from their date. Unpaid assessments and the interest thereon, including in each case a fee to cover the expense of such collection as provided by law together with any fee in connection with the maintenance by the City of a registration system for the bonds, will be billed by the City during the term of the bonds separate from the regular County tax bills and will be collected by the City in semiannual installments. Unpaid assessments shall be payable and become delinquent at the same times and in the same proportionate amounts and bear the same proportionate penalties and interest after delinquency as do the general taxes on real property.

Dated: _____, 1985.

MICHAEL MEDEMA
Collection Officer of the
City of Sacramento



NOTICE OF ASSESSMENT

MORRISON CREEK ASSESSMENT DISTRICT

Pursuant to the requirements of Section 3114 of the Streets and Highways Code of the State of California, the undersigned City Clerk of the City of Sacramento, California, hereby gives notice that a diagram and assessment were recorded in the office of the Superintendent of Streets of said City, as provided for in said Section, and relating to the property more particularly described on that certain assessment diagram filed in accordance with Section 3114 of said Streets and Highways Code, in Book _____ of Maps of Assessment District at page _____ in the office of the County Recorder of the County of Sacramento.

Notice is further given that upon the recording of this Notice in the office of the County Recorder of the County of Sacramento, the several assessments assessed on the lots, pieces and parcels shown on said filed assessment diagram shall become a lien upon the lots or portions of lots assessed, respectively.

Reference is made to the assessment diagram and assessment roll recorded in the office of the Superintendent of Streets of the City of Sacramento.

The name or names of the assessed owners as they appear on the latest secured assessment roll are set forth in Exhibit "A", hereto attached and by reference incorporated herein.

Dated: _____, 1985.

City Clerk of the City of Sacramento

LAW OFFICES OF
LANGLOIS, ANDERSON AND MACDONALD

LAW CORPORATIONS

3500 AMERICAN RIVER DR., SUITE 400

SACRAMENTO, CA 95825

TELEPHONE (916) 488-3616

WINSTON A. LANGLOIS, INC.
ANTHONY G. ANDERSON, INC.
DOUGLAS A. MAC DONALD, INC.
DARRELL E. WEBSTER

FILE NO.

1859-01

March 11, 1985

Sacramento City Clerk
915 I Street, Second Floor
Sacramento, CA 95814

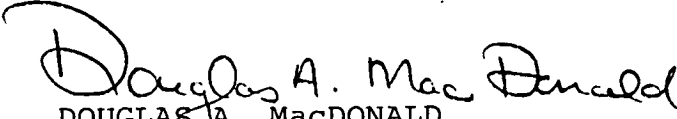
Re: Morrison Creek Assessment District
Withdrawal of Protest - James Dixon

Dear Sir/Madame:

Please be advised that this firm represents James Dixon
with respect to the above-referenced matter.

This shall serve to constitute formal withdrawal of
protest to the above Morrison Creek Assessment District.

Cordially,


DOUGLAS A. MacDONALD
Attorney at Law

DAMD:mms

RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO

4313 Griffith Drive 4 34 PM '85
Sacramento, California 95822

15 February 1985

Lorraine Magana, City Clerk
City Hall
915 Eye Street
Sacramento, California 95814

In Re: Lawrence Lim & Elaine Lim
County Parcel No. 040-121-15
040-121-16

Dear Ms. Magana:

I understand that the City Council Meeting regarding the Morrison Creek Assessment District was postponed to 26 February 1985 at 7:30 p.m. Inasmuch as my husband had open-heart surgery, we were not able to appear to make our protest.

I would like to be heard at this next meeting.

Sincerely,



(Mrs.) Elaine Lim

RECEIVED
CITY CLERK'S OFFICE
CITY OF SACRAMENTO

KASCO
P.O. BOX 26165
SACRAMENTO, CALIFORNIA 95826

FEB 13 2 34 PM '85

February 6, 1985

The Honorable City Council
City of Sacramento
City Hall
915 I Street
Sacramento, CA 95814

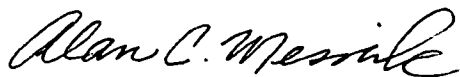
Gentlemen:

KASCO, a partnership of 3 individuals, is the owner of Assessors Parcel No. 062-050-46. This parcel maintains approximately 17 acres of undeveloped land.

It is recognized that a property owner must realize that its ownership carries the economic burden to share the cost of Public Improvements that benefit the community. However, it is our belief that this burden should be assumed only when public interest and necessity require it and not just based simply on the vote of an owner or owners of the acreage sought to be included in the assessment district.

Consequently, we offer this formal protest to the formation of the district and/or in the acquisition and improvements at this time.

Respectfully,
KASCO



by Alan C. Messick
Partner

ACM:klm

LAW OFFICES OF
AFFINITO AND MORRISON

AFFINITO BUILDING
2980 Railroad Avenue, Suite E
PITTSBURG, CA 94565-5271

ALFRED A. AFFINITO
JAMES D. MORRISON

February 8, 1985

Area Code 415
Pittsburg Area 432-4731
Concord Area 687-7780

CITY OF SACRAMENTO
City Hall
915 I Street
Sacramento, CA 95819

In re: MORRISON CREEK ASSESSMENT DIST.
Affinito; Mario, Dominick, & Juliette
Quality Supermarket

Gentlemen:

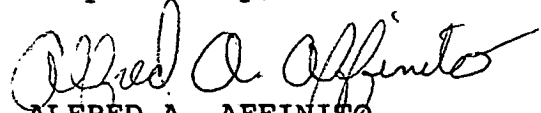
I am addressing this correspondence on behalf of my clients above-named to protest the formation of this district and the spread of the assessment as recommended and reported by the engineers.

The properties owned by the protesters include, at least, the following Assessor's Parcel Numbers:

040-111-04
040-111-03
040-111-02
040-101-13
040-101-01

No notice was received for Parcel Number 040-111-01.

Respectfully,


ALFRED A. AFFINITO
Attorney in Fact
for Owners

AAA:jfa

THE PALM IRON AND BRIDGE WORKS

P.O. BOX 26165

SACRAMENTO, CALIFORNIA 95826

G.R. MESSICK
PRESIDENT

RECEIVED
OFFICE OF THE CITY COUNCIL

February 4, 1985

FEB - 6 1985 PM
7 | 8 | 9 | 10 | 11 | 12 | 1 | 2 | 3 | 4 | 5 | 6

The Honorable City Council
City of Sacramento
City Hall
915 I Street
Sacramento, CA 95814

Re: Proposed Morrison Creek Assessment
District/Acquisitions and Improvements

Gentlemen:

The Palm Iron and Bridge Works is the owner of Assessor's Parcel No. 0265-05-47. Said parcel contains approximately 24 acres and is the site of our plant.

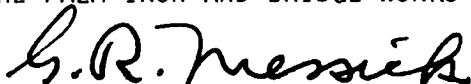
We recognize that it is incumbent upon the property owner to realize that its ownership carries with it the economic burden of sharing in the cost and installation and operation of such Public Improvements as would benefit the entire community.

It is our feeling, however, that this burden should be assumed only at such time as public interest, convenience and necessity require the same and not be based simply upon the vote so to speak of the owner or owners of the total acreage sought to be included in the assessment district.

Accordingly, we present this formal protest to the formation of the district and/or in the acquisition and improvements at this time.

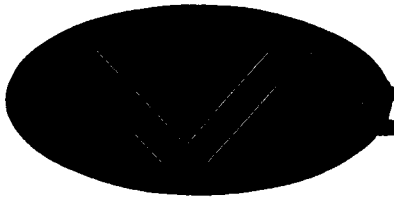
Sincerely,

THE PALM IRON AND BRIDGE WORKS



G. R. Messick
President

GRM/no



METALLOY
STEEL FOUNDRY, INC.

8588 THYS COURT
P. O. Box 28487
Sacramento, California 95828
383-5757

RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO
FEB 7 11 25 AM '85

February 7, 1985

Attn: Lorraine Magana, City Clerk
The City of Sacramento
915 I Street - Room 203
Sacramento, CA 95814

This letter is to inform The City of Sacramento that as the property owner(s) of the below mentioned parcel number(s), we are opposed to the Morrison Creek Resolution No. 84-1047.

Parcel No. 062-070-2500
Parcel No. 062-070-1800

Sincerely,

METALLOY STEEL FOUNDRY, INC.

Jack B. Helwick, President



RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO

FEB 6 3 33 PM '85

8770 Elder Creek Road
Sacramento, CA 95828

January 25, 1985

City Clerk
City Hall
915 I Street
Sacramento, CA 95814

RE: Morrison Creek Assessment District
Parcel #'s 064-020-49, 064-020-52, 064-020-53
John J. & Frances L. Ferreira

To Whom It May Concern:

This is a letter of request against the connection of the Morrison Creek Assessment District to the Sacramento Regional County Sanitation District. The connection of the sewage systems do not comply to the necessities or the interest of ourselves as property owners, as well as the other property owners, in this district.

Furthermore, it is not our desire or need to be liable for the assessment fees and, or the annexation fees required for such an installation when we do not have any desire for the annexation. These properties are privately owned and we as the properties' owners should not be required to follow through with these supposed "improvements".

Sincerely,


John J. Ferreira


Frances L. Ferreira

Aug. 2/12/85

RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO

JAN 11 3 11 PM '85

8240 Berry Avenue
Sacramento, California 95828

January 10, 1985

Department of Public Works
City Clerk
915 Eye Street, Room 300
Sacramento, California 95814

In Re: Morrison Creek Assessment District
Parcel No. 040-121-03
George Hall

To Whom It May Concern:

This is a letter of protest from the concerned property owners who are lucky enough to find our properties within the Morrison Creek Assessment District. Like many landowners in our area, I do not require or desire installation of sanitary and storm sewers.

In addition, I do not desire to bear the costs of such an assessment district when there appears to be no need for it. I definitely do not believe the method of financing you propose is legal. It appears to be taxation at its highest.

Sincerely,

George Hall
George Hall

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LAW OFFICES OF
LANGLOIS, ANDERSON AND MACDONALD

LAW CORPORATIONS
3500 AMERICAN RIVER DR., SUITE 400
SACRAMENTO, CA 95825
TELEPHONE (916) 488-3616

RECEIVED
CITY CLERKS OFFICE
SACRAMENTO
JAN 22 11 34 AM '85

FILE NO.

WINSTON A. LANGLOIS, INC.
ANTHONY G. ANDERSON, INC.
DOUGLAS A. MAC DONALD, INC.
DARRELL E. WEBSTER

January 20, 1985

Clerk of the City of Sacramento
Room 203
City Hall
915 I Street
Sacramento, Ca. 95814

Re: Public Hearing - Morrison Creek District - February 12, 1985

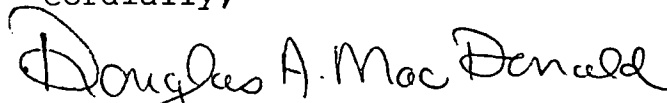
Dear Sirs:

Please be advised that we represent James H. DIXON and Vera M. DIXON, parcel number 064-020-21.

Pursuant to California Code of Civil Procedure 1240.030 we are requesting to be heard on the above matter during the scheduled Public Hearing on Adoption of Resolution Authorizing Acquisition of Property by Exercise of Power of Eminent Domain, to be held at 7:30 P.M. on February 12, 1985.

Please notate this request and schedule us accordingly.

Cordially,


Douglas A. MacDonald

RECEIVED
CITY CLERK'S OFFICE
CITY OF SACRAMENTO

4313 Griffith Drive
Sacramento, California 95822

JAN 17 11 00 AM '85

14 January 1985

Lorraine Magana, City Clerk
City Hall
915 Eye Street
Sacramento, California 95822

In Re: Lawrence Lim & Elaine Lim
County Parcel Nos. 040-121-15 & 040-121-16

Dear Ms. Magana:

In reply to your notice regarding the Morrison Creek Assessment
District, I would like to appear and be heard in the City Council
Meeting to be held 7:30 p.m. on 12 February 1985.

Sincerely,



(Mrs.) Elaine Lim

RECEIVED
CITY CLERK'S OFFICE
CITY OF SACRAMENTO

JAN 5 1 58 PM '85

4313 Griffith Drive
Sacramento, California 95822

7 January 1985

~~01-318977-20~~
2/12/85

Dept. of Public Works
City Hall
915 Eye Street, Room 300
Sacramento, California 95814

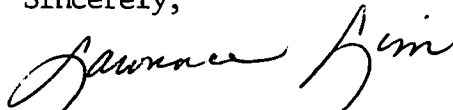
In Re: Morrison Creek Assessment District
Parcel No. 040-121-15 & 040-121-16
Lawrence Lim and Elaine Lim

To Whom It May Concern:

This is a letter of protest from the concerned property owners who are unlucky enough to find our properties within the Morrison Creek Assessment District. Like many landowners in our area, we do not require, or desire, installation of sanitary and storm sewers.

In addition, we do not desire to bear the costs of such an assessment district when there appears to be no need for it. We definitely do not believe the method of financing you propose is legal. It appears to be taxation at its highest.

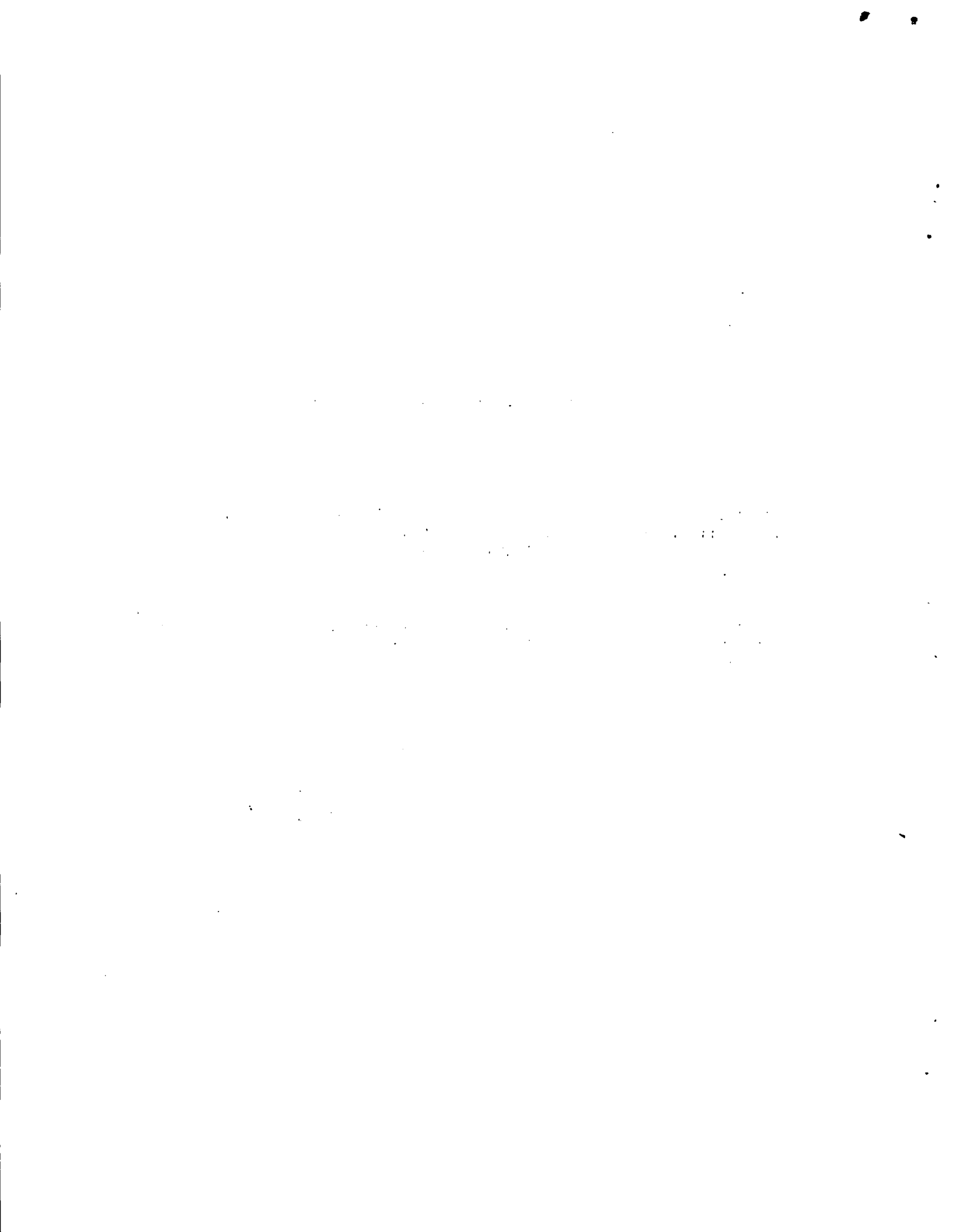
Sincerely,



Lawrence Lim



Elaine Lim



RECEIVED
CITY CLERK'S OFFICE
CITY OF SACRAMENTO

FEB 20 10 58 AM '85

SACRAMENTO CITY COUNCIL

-000-

JAMES DIXON
Complainant

CLAIMANT'S BRIEF

DOUGLAS A. MacDONALD
LANGLOIS, ANDERSON AND MacDONALD
3500 American River Drive, Ste. 400
Sacramento, California 95864
(916) 488-3616
Attorney for Complainant

STATEMENT OF THE CASE

On December 27, Complainant was informed as to the pending hearing of February 12, 1985 for the purpose of discussion or passage of the Morrison Creek Assessment District.

On February 12, 1985, Complainant registered a formal protest with the City Council in an open session. The Council continued the matter until February 27, 1985.

STATEMENT OF FACTS

This action arises out of a proposed Morrison Creek Assessment District whose purpose of formation is to install a sewage and drainage system within the specified boundaries of the project.

Complainant owns that property described as South one-half of West one-half of East 60 acres of Northeast one-quarter Sec. 36 and commonly referred to as 8828 Elder Creek Road, Sacramento, County of Sacramento, California 95828. (County parcel number 064-020-21.)

The property presently owned by Complainant has been occupied by Complainant for approximately 22 years and is currently zoned A-10.

Complainant is subjected to a proposed Public Utility Easement consisting of all that certain real property situate in the City of Sacramento, California described as follows:

All that portion of Section 36, T. 8 N, R. 5 E., M.D.B. & M., more particularly described as follows:

The North 15.00 feet of the South one-half of the West one-half of the East 60 acres of the North-

east one-quarter of said section 36, containing 7,390 square feet, more or less.

Complainant is also subject to a proposed Temporary Working Easement of all that certain real property situated in the City of Sacramento, described as follows:

All that portion of section 36, T. 8 N., R. 5 E., M.D.B. & M., more particularly described as follows:

The South 25.00 feet of the North 40.00 feet of the South one-half of the West one-half of the East 60 acres of the Northeast one-quarter of said Section 36; excepting therefrom:

The South 15.00 feet of the West 275.00 feet; with said described parcel containing 8,195 square feet, more or less.

At the time Complainant purchased his property, there was no industrial facilities in the immediate vicinity. The land was primarily agricultural usage.

The proposed District will increase the already flourishing industrial area near Complainant's home.

The Complainant has tried to sell his property since 1981 for a reasonable market value and, to date, has been unsuccessful. The advent of the proposed District severely impacts the Complainant and others in similar circumstances in the area.

Complainant is a senior citizen on a limited income. The proposed pro rata assessment for his share will be approximately \$145,000.00 payable over a 15 year period at approximately 12% interest. Complainant does not have the ability to pay the interest, let alone the assessment itself. Due to the unjust

hardship this would create, he seeks relief by the City Council of Sacramento, California.

ARGUMENT

I

THE PROPOSED MORRISON DISTRICT PRIMARILY SERVES THE BEST INTERESTS OF THE LARGE LANDOWNERS

The large landowner who wants passage is an ABSENTEE OWNER. He does not reside on the property, but merely pays taxes with an intent to develop said properties. He has no vested interest in the land other than economic gain.

THE PROPOSED DISTRICT WILL SERVE ONLY THE FINANCIAL INTERESTS OF THE LARGE LANDOWNER AND HIS DEVELOPMENT. The services that are to be installed in the proposed district are geared to aid the further development of the industrial complexes owned by the large landowners and to attract new tenants to an area that will be complete with sewage and water installed and assessed. The large landowner, in negotiating contracts with such individuals, can effectively hide the cost of the assessment by pricing it into the cost of the facility. As a result, the assessment on the large landowner is trickled down through his business costs and the net result is that it costs him little or nothing out of his own pocket.

In contrast, the small landowner is a RESIDENT OWNER and for the most part, on a limited or fixed income. The latter is true of the Dixons. The small landowner who has lived on and worked the land for many years has a vest interest in the land. The Dixons would be most happy to sell the land and move away from

the encroachment of the industrial facilities, but have been unable to sell for three years.

There may be an increase in the value of the land, but there is no benefit to the small landowner if, while waiting for the appreciation to the land to occur, he has effectively lost the land to the government because of non-payment of the assessments. The city has stated it will proceed to "take" within one year of non-payment of assessments. This harsh reality of loss of land affects only the small landowner who, because of circumstance, cannot afford to pass on the cost of the proposed assessment to anyone except possibly a future purchaser who would also have to pay the assessments at the time of purchase. Due to this unattractive situation, the only real possibility of sale would be to the large landowner who may want to add to his profitability by buying below market value from a distressed seller. This is especially true with the Dixons, in that their land is "landlocked" and their ingress and egress is through an easement with a public utility.

Any residual benefit to the small landowner will not be sufficient to offset the exhorbatant costs of the assessment, whereas the large landowners' benefit is demonstrated through his unlimited economic gain as well as the proposed services the district will provide in increasing the merchantability of his industrial product.

Clearly, the moving force is the large landowner. He is the one who stands to gain, whereas the small landowner, who does not

want the district, stands only to lose both his land and any economic gain that he may have realized had he been able to withstand the tremendous burden of the assessment.

Any benefit to the landowner is insignificant comparing the benefits for the large landowner.

II

THE PROPOSED MORRISON CREEK ASSESSMENT DISTRICT IS IN VIOLATION OF THE FIFTH AMENDMENT, DUE PROCESS CLAUSE OF THE U.S. CONSTITUTION, AND ARTICLE I, SECTION 19 OF THE CALIFORNIA CONSTITUTION

"Exaction from the owner of private property of the cost of a public improvement, in substantial excess of the special benefits accruing to him is, to the extent of such excess, a "taking" under the guise of taxation of private property for public use without compensation. It is an invalid exercise of the police power in violation of the Fifth Amendment to the U.S. Constitution and Article I, section 19 of the California Constitution."

Furey v. City of Sacramento
24 Cal 3d 862
157 Cal Rptr 684 (1979)

"An arbitrarily conceived exaction will be nullified as a disguised attempt to take private property for public use without resort to eminent domain or as a mask for discriminatory taxation.

Liberty v. California Coastal Commission
113 C.A. 3d 491
170 Cal Rptr 247 (1980)

The City knows before passage of the tremendous burden that

the assessments will be put on the small landowner.

Passage of the district will subject the landowner to assessments which he cannot possibly pay, and non-payment will lead to "taking" by taxing power. Passage is unfair, capricious, and discriminatory to the small property owner.

If passage of the district occurs, unjust enrichment will be effectuated to the City through "taking" by taxing power, and unjust assessment out of proportion to benefits accruing to assessed small property owners will occur.

The Constitution guarantees that Due Process be afforded, but such has not been afforded in this case.

The City contends that it does not want the land on the one hand, and then assesses those who it knows cannot pay and effectively "takes" the land on the other hand. If the City wishes to take the land, eminent domain is the proper vehicle.

Inverse condemnation will effectively result by passage of the district and resulting exhorbatant assessments.

III

**THE NEGATIVE DECLARATION, ENVIRONMENTAL IMPACT REPORT,
UPON WHICH THE APPROVAL OF THE DISTRICT IS TO BE BASED,
IS INCOMPLETE AND INACCURATE**

The Environmental Impact Report of January 30, 1981 is incomplete with respect to the proposed district.

IT FAILS TO address economic hardships of the small property owner;

IT FAILS TO provide for the perspective of the potentials for growth;

IT FAILS TO conform with the Zoning Ordinance and the general plan as they relate to open space;

IT FAILS TO conform to the "Open Space Element", or address same, of general plan adopted July 7, 1973;

IT FAILS TO address the issues of the zoning impact of the general plan;

IT FAILS TO address impact of industrial area versus agricultural concerns.

IT FAILS TO conform or address the concerns of the Local Agency Formation Commission;

IT FAILS TO address the adequate impact on the changes in currents, or the course of direction of water movements in either marine or fresh water;

IT FAILS TO specifically address the impact in changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff.

IT FAILS TO specifically address the impact of the alterations to the course or flow of flood waters, other than to indicate it, Sacramento County must raise levees slightly to provide for the 100 year flood;

IT FAILS TO adequately address the impact of unstable earth conditions or in changes in geologic substructures that may be affected;

IT FAILS TO adequately reflect the impact on disruptions, displacements, compaction or overcovering of the soil or to address the resulting topographical changes or ground surface

relief features;

IT FAILS TO adequately and specifically address the impact of the substantial alteration of the present or planned use of the area, except where alluded to with reference to the general plan;

IT FAILS TO adequately address the issue and impact of the maintenance of public facilities, and roads and their affect on the environment.

IV

THE GENERAL PLAN, UPON WHICH THE ENVIRONMENTAL IMPACT REPORT RELIES FOR ECONOMIC CONCERNS IS VOID AND UNLAWFUL

The general plan is void and unlawful, as it fails to provide for the economic well being of the local property owners.

The general plan does not address the issues of the zoning impact of the proposed district in that it does not adhere to its own "Open Space Element" of the plan.

The general plan also fails to provide for the strict adherence to the rules as set forth by LAFCO regarding such districts as the one proposed.

V

AUTHORITY CONFERRED TO THE CITY BY THE COUNTY IS INEFFECTIVE AND VOID AS IT DOES NOT MEET THE NOTICE AND HEARING REQUIREMENTS AS SET FORTH BY LAW

The adoption of the negative declaration by the Board of Supervisors in Resolution No. 84-1553 is ineffective and void as property notice was not forwarded to the community.

The resolution, proposed by Supervisor Toby Johnson, came

forth on the Board of Supervisors' December 11, 1984 consent calendar. As such, no adequate notice or hearing was afforded the community to register any formal protest. As a result, any power afforded to the City on behalf of the County is void and ineffective.

CONCLUSION OF ARGUMENT

There is the distinct possibility that if the district is formed, it will result in an unconstitutional taking on the part of the City in that the City, acting under the color of amendment to general plan designations that certain areas are to conform to the plan, will take specific action in the appropriation of a valuable property right, notwithstanding that the property is technically outside formal city limits, since it is subjected to city planning and regulation by local agency agreements and city policies. If passed, the district will be relying on an environmental impact negative declaration that even the firm preparing it does not have sufficient knowledge of what it should or should not contain.

ALTERNATIVES TO AID COMPLAINANT

If the plan is approved, the following is requested:

1. Re-evaluation for the county small landowners and their portion of the assessment.

2. Whereas the City or County does NOT qualify for the state Unified Tax Rolls.

- a. Have the City pass resolution to waive payment of

assessments until such time as the property is sold; OR

b. Have the City reduce the amount of per year payments due on the assessment by:

1) Extending the number of years to pay from 15 years to 30 years.

2) Pay part of the assessment for the property owner.

3. That the City permit the non-hook up of Complainant and that no assessments start until such hook up is effectuated.

4. City participation to encourage the large landowners to financially participate in the small landowners' plight.

Dated: February 14, 1985

LANGLOIS, ANDERSON AND MacDONALD
A Partnership of Law Corporations

By _____
DOUGLAS A. MacDONALD

Subject: Morrison Creek Assessment District

7 January 1985

Department of Public Works
City Hall
915 I Street, Room 300
Sacramento, CA 95814

TO WHOM IT MAY CONCERN:

This is a letter of protest from the concerned property owners who are unlucky enough to find their property within the Morrison Creek Assessment District.

We do not believe the District is necessary to most people. We definitely do not believe the method of financing is legal. It appears to be taxation at its highest.

Clara L. Deussen 040-121-15 064-020-56
040-121-16 Tony J. [Signature]

Lawrence [Signature] 040-121-15
040-121-16 Norman L. [Signature]

George [Signature] 040-121-03
064-020-13

[Signature] 064-020-49
064-020-52 Mary [Signature] 064-020-43
064-020-53

Francis [Signature] 064-020-21
Janet [Signature] 064-020-21

Clara L. Deussen 064-020-07
Walter [Signature]

Frank [Signature] 064-020-10
064-020-56

Sharon [Signature]

CERTIFICATE OF MAILING

NOTICE TO PAY ASSESSMENTS

MORRISON CREEK ASSESSMENT DISTRICT

STATE OF CALIFORNIA)
) ss.
County of San Mateo)

The undersigned, ROBERTA BERNAT, under penalty of perjury, certifies as follows:

That for and on behalf of the Collection Officer of the City of Sacramento, she did on the 15th day of April, 1985, mail to each person owning property in the assessment district at his last known address as it appears on the tax rolls of said City or on file in the office of the City Clerk of the City of Sacramento, or to both addresses if they were not the same, or, when no address appeared, to general delivery, a statement containing a designation by street number or other description of the property assessed sufficient to enable the owner to identify the same, the amount of the assessment, the date of the recordation of said assessment, the time and place of payment thereof, the effect of failure to pay within such time, and a statement of the fact that bonds will be issued on unpaid assessments pursuant to the Improvement Bond Act of 1915, Division 10 of the Streets and Highways Code of the State of California, in form a copy of which is hereto attached, marked Exhibit "A" and by reference made a part hereof.

Executed this 19th day of March, 1985, in the City of San Mateo, California.

Roberta Bernat

ROBERTA BERNAT

*File in
meeting folder
when final
Action taken
Anne*

NOTICE TO PAY ASSESSMENTS

MORRISON CREEK ASSESSMENT DISTRICT

NOTICE IS HEREBY GIVEN that all owners of real property liable to be assessed to pay the cost and expenses of the acquisitions and improvements described in Resolution No. 84-1043 of Preliminary Determination and of Intention, adopted by the City Council of the City of Sacramento on December 18, 1984, are hereby notified that on March 13, 1985, the assessment and diagram to pay the cost and expenses of said acquisitions and improvements were recorded in the office of the Superintendent of Streets of the City of Sacramento.

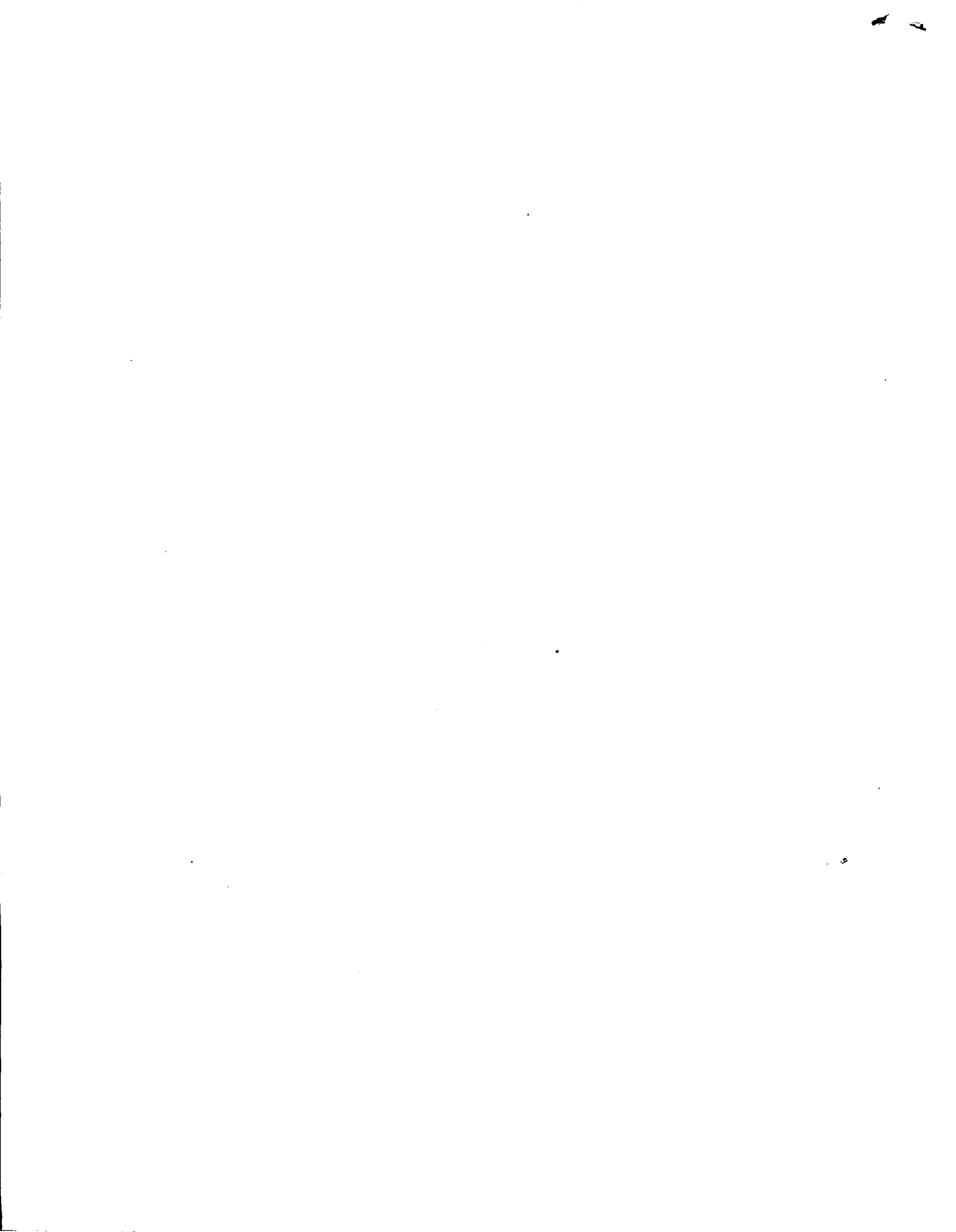
Assessments are due and payable immediately at the office of the Collection Officer, Revenue Officer, City Hall, 915 I Street, Room 104, Sacramento, California, and must be paid within the period expiring April 15, 1985. Payment must be received by the Collection Officer by the close of business of said expiration date. Said assessments may be paid in whole or in part during said period.

In the event of the failure to pay before the expiration of said period, serial bonds to represent the unpaid portions of assessments and to bear interest at the rate of not to exceed twelve percent (12%) per annum will be issued pursuant to the Improvement Bond Act of 1915, Division 10 of the Streets and Highways Code of the State of California, and the last installment of such bonds shall mature not to exceed fourteen (14) years from the second of July next succeeding ten (10) months from their date. Unpaid assessments and the interest thereon, including in each case a fee to cover the expense of such collection as provided by law together with any fee in connection with the maintenance by the City of a registration system for the bonds, will be billed by the City during the term of the bonds separate from the regular County tax bills and will be collected by the City in semiannual installments. Unpaid assessments shall be payable and become delinquent at the same times and in the same proportionate amounts and bear the same proportionate penalties and interest after delinquency as do the general taxes on real property.

NOTICE: After bonds have been issued, assessments may be paid only by the property owner advancing to the Collection Officer, Revenue Officer the total amount of the unpaid principal and interest to accrue on said assessment during the term of the bonds. If the amount of the payment, along with prepayments of other assessments, is sufficient to provide surplus moneys with which to call bonds, any balance of interest remaining from said prepayments shall be refunded proportionately to the property owners making said prepayments after deducting therefrom the costs of the call and the sums due to the bondholder.

Dated: March 12, 1985.

MICHAEL MEDEMA
Collection Officer of the
City of Sacramento



Jessie H. & Ida A. Abbott
8610 Elder Creek Road
Sacramento, CA 95828

Your assessment is as follows:

<u>Assessment Number</u>	<u>Property Description Assessor's Parcel No.</u>	<u>Amount of Assessment</u>
42	064-020-40	\$44,503.01

NOTE: If your assessment is paid in cash by the close of business on April 15, 1985, it will be reduced to \$38,495.10 and payment of this amount will constitute full payment of your assessment.

