

TO CONTINUED
2/23/99



16

CITY OF SACRAMENTO
CALIFORNIA

DEPARTMENT OF
PUBLIC WORKS

TECHNICAL SERVICES DIVISION

APPROVED
BY THE CITY COUNCIL

MAR 2 1999

OFFICE OF THE
CITY CLERK

January 28, 1999

City Council
Sacramento, California

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DEVELOPMENT
SERVICES
1231 I STREET, STE 200
SACRAMENTO, CA
95814-2988
PH 916-264-7995
FAX 916-448-8450

CONTINUED
FROM 2/23/99
TO 3/2/99

Honorable Members In Session:

SUBJECT: APPROVAL OF FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR UNITY PARKSIDE UNIT NO. 1 - (P97-021); APPROVAL OF FIRST ADDENDUM TO CITY AGREEMENT NO. 87171 AND ANNEXATION #3 TO THE WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT

LOCATION/COUNCIL DISTRICT:

Southeast corner of West El Camino Avenue and Orchard Lane
Council District 1

RECOMMENDATION:

This report recommends the City Council approve the following:

- Resolution for the Final Map and Subdivision Improvement Agreement for Unity Parkside Unit No. 1.
- Resolution for the first addendum to City Agreement No. 87171.

For annexation to the Willowcreek Maintenance Assessment District

- Resolution accepting landowner petitions and initiating proceedings to annex territory.
- Resolution approving boundary map of area to be annexed.
- Resolution of Intention to annex territory and levy an assessment upon the annexed property.
- Resolution preliminarily approving an engineers report and setting a time and place of hearing of protests.

City Council
Final Map (P97-021)
January 28, 1999

CONTACT:

Jon Blank, Associate Engineer, 264-7493
Ron Wicky, Special Districts Analyst, 264-5628

FOR COUNCIL MEETING OF:

February 16, 1999

SUMMARY:

On July 9, 1998, the City Planning Commission approved a Tentative Subdivision Map by adopting a Notice of Decision. All conditions of the subdivision's tentative map have been met by the subdivider, Christ Unity Church. The subdivider wishes to file the Final Map prior to completing the required subdivision improvements. The deferral of these improvements requires the subdivider to enter into a subdivision improvement agreement with the City wherein the subdivider will complete the improvements at a later date. The Final Map and the Subdivision Improvement Agreement requires approval by the City Council.

This report will also specify how fee credits will be applied to the South Natomas Facilities Benefit Assessment District Fee (FBA) pursuant to City Agreement No. 87171.

This report will also initiate proceedings for Annexation to the Willowcreek Maintenance Assessment District. Adoption of the attached resolution will set the date, time, and place for a public hearing on April 20, 1999.

COMMITTEE/COMMISSION ACTION:

None.

BACKGROUND INFORMATION:

On July 9, 1998, the City Planning Commission approved a Tentative Subdivision Map by adopting a Notice of Decision.

Pursuant to Sacramento City Code, Chapter 40.07.711, and Government Code Section 66458, the City Council may, by resolution, approve final maps. The map presented conforms to all the requirements of the Government Code and Title 40 of the City Code, applicable at the time of conditional approval of the Tentative Map.

On February 2, 1988, an agreement was entered into whereas the City obtained Park property for fee credits to be used to pay development fees within the Unity Parkside

City Council
Final Map (P97-021)
January 28, 1999

Village subdivision project. This amendment specifies how those credits are to be applied against the development fee. When the building permits are submitted, the developer shall be credited \$294,227.00 against FBA fees due. Any excess credits shall be applied toward Quimby fees for Unity Parkside Unit No. 2.

The Final Map is consistent with the South Natomas Community Plan. All conditions in the staff subdivision report have been met, the deferred improvement work has been secured through a subdivision improvement agreement, and the Final Map is presented for approval.

With the approval of this subdivision, Council will also be initiating the proceedings for the Annexation to the Willowcreek Maintenance Assessment District. Petitions have been received by 100% of the property owners to initiate these proceedings. The Annexation to the Willowcreek Maintenance Assessment District will provide additional street sweeping and cleaning of manholes, pipes and pump station. These are water quality mitigation measures required for development in the Willowcreek area. The estimated annual cost will be \$90.00 per residential lot.

FINANCIAL CONSIDERATIONS:

All subdivision costs are being paid by the subdivider, Christ Unity Church.

ENVIRONMENTAL CONSIDERATIONS:

On July 9, 1998, the City Planning Commission adopted a Notice of Decision ratifying the Negative Declaration and approving the mitigation monitoring plan for this project.

POLICY CONSIDERATIONS:

Pursuant to Sacramento City Code, Chapter 40.07.711, and Government Code Section 66458, the City Council may, by resolution, approve final maps. The map presented conforms to all the requirements of the Government Code and Title 40 of the City Code, applicable at the time of conditional approval of the Tentative Map. The proceedings under which this district is being initiated is Title 81 of the City Code.

City Council
Final Map (P97-021)
January 28, 1999

MBE/WBE:

None, since no goods or services are being procured with this action.

Respectfully submitted,



Marty Hanneman
City Traffic Engineer

Approved:



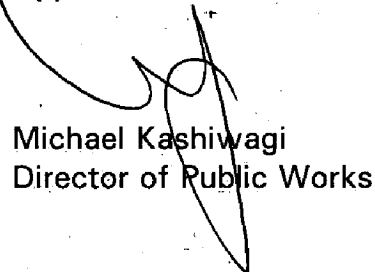
Duane J. Wray
Manager, Technical Services Division

RECOMMENDATION APPROVED:



WILLIAM H. EDGAR
City Manager

Approved:



Michael Kashiwagi
Director of Public Works

JB:dt
s:projdel/jblank/P97-021
01.2799.1
Attachment

RESOLUTION NO. 99-086

APPROVED
BY THE CITY COUNCIL

MAR 2 1999

OFFICE OF THE
CITY CLERK

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

APPROVING FINAL MAP ENTITLED "UNITY PARKSIDE UNIT NO. 1" AND SUBDIVISION IMPROVEMENT AGREEMENT (P97-021)); APPROVAL OF FIRST ADDENDUM TO CITY AGREEMENT NO. 87171 AND ANNEXATION TO THE WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT

WHEREAS, THE CITY COUNCIL OF THE CITY OF SACRAMENTO FINDS AND DETERMINES AS FOLLOWS:

- A. The Final Map for Unity Parkside Unit No. 1, located on the southeast corner of West El Camino Avenue and Orchard Lane, with provisions for its design and improvement, is consistent with the South Community Plan. See Exhibit "A" for project location.
- B. The Final Map is in substantial compliance with the previously approved tentative map.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO AS FOLLOWS:

- 1. The Final Map for this project is hereby approved subject to the execution by all parties of the Subdivision Improvement Agreement for that subdivision.
- 2. All offers of dedication shown on said map are hereby accepted subject to the improvement thereof required by the Subdivision Improvement Agreement.
- 3. The City Manager and City Clerk are authorized and directed to execute on behalf of the City of Sacramento that certain Subdivision Improvement Agreement between the City and Christ Unity Church to provide for the subdivision improvements required by the Subdivision Map Act and Title 40 (Subdivision Regulations) of the Sacramento City Code.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____
DATE ADOPTED: _____

4. The City Clerk is authorized and directed to record the above-mentioned agreement in the official records of Sacramento County.

MAYOR

ATTEST:

CITY CLERK

s:projdel\jblank\p97-021
01.2799.1

FOR CITY CLERK USE ONLY

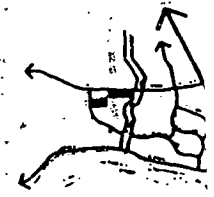
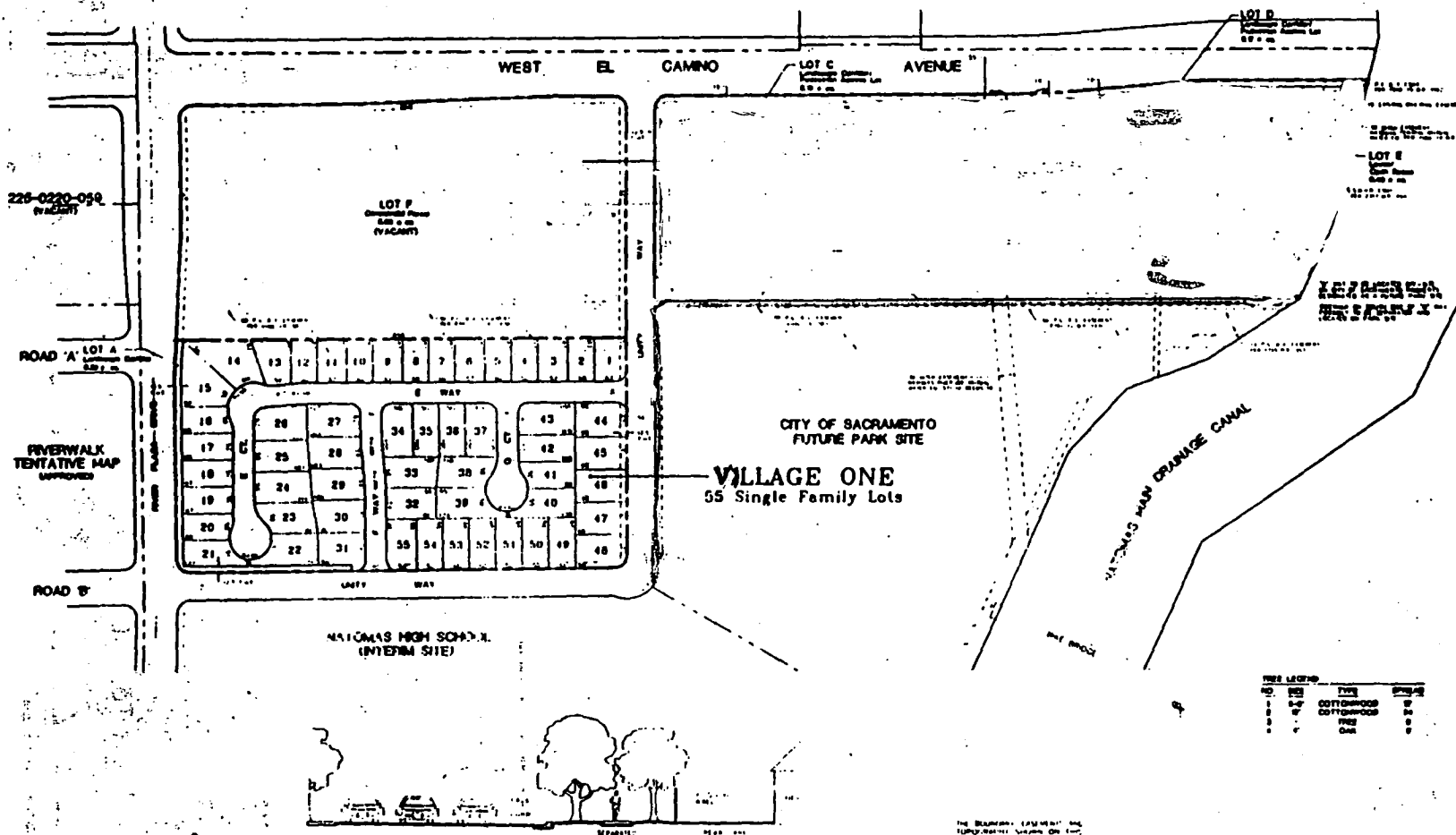
RESOLUTION NO.: _____

DATE ADOPTED: _____

Tentative Subdivision Map for UNITY PARKSIDE VILLAGE 1

City of Sacramento, California

EXHIBIT "A"



NOTES

1. RECORD OWNER AND SUBDIVIDER: UNITY PARKSIDE VILLAGE LLC, 2000 N. 4TH STREET, SACRAMENTO, CA 95811

2. DEVELOPER: THE SHANNON CORPORATION, 2000 N. 4TH STREET, SACRAMENTO, CA 95811

3. PLANNING/ENGINEER: THE SPIN GROUP, 2000 N. 4TH STREET, SACRAMENTO, CA 95811

4. ARCHITECT: JAMES H. HARRIS, 2000 N. 4TH STREET, SACRAMENTO, CA 95811

5. LANDSCAPE ARCHITECT: JAMES H. HARRIS, 2000 N. 4TH STREET, SACRAMENTO, CA 95811

6. PUBLIC UTILITIES: CITY OF SACRAMENTO, 2000 N. 4TH STREET, SACRAMENTO, CA 95811

7. DISTRICT: CITY OF SACRAMENTO, 2000 N. 4TH STREET, SACRAMENTO, CA 95811

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NO.	TYPE	DATE	BY
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THE SHANNON CORPORATION AND THE SPIN GROUP, INC. ARE THE DEVELOPERS OF THIS PROJECT. THE CITY OF SACRAMENTO IS THE APPLICANT FOR A DEVELOPMENT PERMIT. THIS IS AN APPLICATION FOR A DEVELOPMENT PERMIT.



SECTION 'A'
WEST EL CAMINO AVE.

Spink

NOTES:
1. APPLICANT RESERVES THE RIGHT TO RECORD MULTIPLE FINAL MAPS.
2. THIS IS AN APPLICATION FOR A DEVELOPMENT PERMIT.

APPROVED
BY THE CITY COUNCIL

MAR 2 1999

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 99-087

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

APPROVAL OF FIRST ADDENDUM TO CITY AGREEMENT NO. 87171

WHEREAS, THE CITY COUNCIL OF THE CITY OF SACRAMENTO FINDS AND DETERMINES AS FOLLOWS:

- A. Pursuant to City Agreement No. 87171, regarding the Subdivision Improvement Agreement for Unity Parkside Unit No. 1, the City Council may grant fee credits to be used to pay development fees.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO AS FOLLOWS:

1. The first amendment to City Agreement No. 87171, regarding the Subdivision Improvement for Unity Parkside Unit No. 1 (P97-021) is hereby accepted.
2. The City Manager and City Clerk be authorized and directed to execute on behalf of the City of Sacramento that certain first amendment to the City Agreement 87-171 between the City and Christ Unity Church to provide for the subdivision improvements required by the Subdivision Map Act and Title 40 (Subdivision Regulations) of the Sacramento City Code.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

RESOLUTION NO.

99-088

APPROVED
BY THE CITY COUNCIL

ADOPTED BY THE SACRAMENTO CITY COUNCIL

MAR 2 1999

ON DATE OF _____

OFFICE OF THE
CITY CLERK

**A RESOLUTION ACCEPTING LANDOWNER PETITION
AND INITIATING PROCEEDINGS TO ANNEX
TERRITORY TO THE CITY OF SACRAMENTO
WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03 PURSUANT
TO TITLE 81 OF THE SACRAMENTO CITY CODE
(ANNEXATION NO. 3)**

WHEREAS:

A. The City Council of the City of Sacramento ("City") has heretofore established the City of Sacramento Willowcreek Maintenance Assessment District No. 98-03 ("District") pursuant to the provisions of Title 81 of the Sacramento City Code ("Act").

B. The purpose of the District is to provide an assured source of financing the cost of specified maintenance services ("Services") relating to certain improvements which are installed in and about approved subdivisions by landowners, so as to maintain those improvements in a manner designed to deter deterioration and to improve the quality of life of subdivision residents.

C. As part of the conditions for approval of subdivision maps within the City, landowners are required to annex the property within the subdivision to the District, and City will not approve a final subdivision map without such proceedings having been commenced and completed.

D. Unity Parkside Village LLC, a California limited liability company ("Landowner") has presented a petition to the City requesting that the City commence proceedings for annexation of the land described in Exhibit A, attached hereto and incorporated herein by this reference ("Property"), to the District, pursuant to the provisions of Article XIID of the California Constitution and the Act.

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FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

E. Landowner has installed, or will install the improvements specified in Exhibit B, attached hereto and incorporated herein by this reference ("Improvements") in and upon the Property.

F. The maintenance services specified in Exhibit B, attached hereto and incorporated herein by this reference ("Services") are those that will be financed through these proceedings to annex the Property to the District, all of which are authorized as "Maintenance" under the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THAT:

Section 1. The recitals set forth above are true and correct, and the City Council so finds and determines.

Section 2. The Landowner petition which has been filed with the City Clerk, requesting that the land described in Exhibit A be annexed to the District, is accepted.

Section 3. Pursuant to the procedures required by Article XIID of the California Constitution, and the provisions of the Act, the City Council proposes to annex the territory described in Exhibit A to the District.

Section 4. The Services to be provided within the annexed area of the District are as specified in Exhibit B.

Section 5. The improvements as to which the Services are proposed to be provided are specified in Exhibit B.

Section 6. The Director of Public Works is designated as the Engineer for purposes of the Act, and is directed to prepare and file a report in accordance with the Act, and in compliance with Article XIID of the California Constitution.

ATTEST:

MAYOR

CITY CLERK

c:\submaint.rip

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FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

EXHIBIT A

EXHIBIT B

ANNEXATION NO. 3 WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03

The improvement maintenance work (hereafter referred to as the "work") for Annexation No. 3 to the Willowcreek Maintenance Assessment District is briefly described in three parts as follows:

Part #1:

The work described herein is to be carried out at Storm Sump 160 located within the boundaries of the Willowcreek Assessment District No. 94-03 recorded on March 17, 1995, in Book 80 of Maps of Assessment Districts and Community Facilities District at Page 26 in the office of the County Recorder of the County of Sacramento, State of California:

The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to provide inspections and water quality and sediment sampling and analysis.

Part #2

The work described herein is to be carried out at Storm Sump 160, the storm drainage manholes, inlets and pipes in Orchard Lane/River Plaza Drive from its northerly intersection of the Natomas Main Drainage Canal to a point approximately 1,700 feet south of its intersection of West El Camino Avenue, Unity Way, Road "A", Road "B" all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Unity Parkside Unit No. 1 Subdivision located within Annexation No. 3 to the Willowcreek Maintenance Assessment District No. 98-03:

The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to remove sediment and other debris from the storm drainage system. Maintenance work may include, but not be limited to, sediment removal, normal cleaning and inspection of all storm drainage pipes, inlets, manholes and storm Sump 160.

Part #3

The work described herein is to be carried out on Orchard Lane/River Plaza Drive from its northerly intersection of the Natomas Main Drainage Canal to a point approximately 1,700 feet south of its intersection of West El Camino Avenue, Unity Way, Road "A", Road "B" all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Unity Parkside Unit No. 1 Subdivision located within the Annexation No. 3 to the Willowcreek Maintenance Assessment District No. 98-03:

RESOLUTION NO. 99-089

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

APPROVED
BY THE CITY COUNCIL

MAR 2 1999

OFFICE OF THE
CITY CLERK

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF SACRAMENTO APPROVING
BOUNDARY MAP OF AREA TO BE ANNEXED TO
THE WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03
(ANNEXATION NO. 3)**

WHEREAS:

A. The City Council of the City of Sacramento ("City") has heretofore established the City of Sacramento Willowcreek Maintenance Assessment District No. 98-03 ("District") pursuant to the provisions of Title 81 of the Sacramento City Code ("Act").

B. The purpose of the District is to provide an assured source of financing the cost of specified maintenance services ("Services") relating to certain improvements which are installed in and about approved subdivisions by landowners, so as to maintain those improvements in a manner designed to deter deterioration and to improve the quality of life of subdivision residents.

C. As part of the conditions for approval of subdivision maps within the City, landowners are required to annex the property within the subdivision to the District, and City will not approve a final subdivision map without such proceedings having been commenced and completed.

D. Unity Parkside Village, LLC, A California limited liability company ("Landowner") has presented a petition to the City requesting that the City commence proceedings for annexation of the land described in Exhibit A, attached hereto and incorporated herein by this reference ("Property"), to the District, pursuant to the provisions of Article XIID of the California Constitution and the Act.

E. Landowner has installed, or will install the improvements specified in Exhibit B, attached hereto and incorporated herein by this reference ("Improvements") in and upon the Property.

F. The maintenance services specified in Exhibit B, attached hereto and

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RESOLUTION NO. _____

DATE ADOPTED: _____

incorporated herein by this reference ("Services") are those that will be financed through these proceedings to annex the Property to the District, all of which are authorized as "Maintenance" under the Act.

G. The City Council has heretofore adopted Resolution No. 99-_____, whereunder Landowner's petition to annex territory to the District was accepted, annexation proceedings were initiated, the Director of Public Works was appointed as engineer of record ("Engineer"), and the Engineer was directed to prepare the report required by the Act.

H. The Engineer has submitted to the Council a map entitled "Proposed Boundaries of Annexation No. 3, Willowcreek Maintenance Assessment District No. 98-03, City of Sacramento, County of Sacramento, State of California" indicating the proposed boundaries of the area to be annexed, a copy of which map, labeled Exhibit A-1, is attached hereto and incorporated herein and made a part hereof;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento, as follows:

Section 1. The foregoing recitals are true and correct and the Council so finds and determines.

Section 2. Said map is hereby approved by the Council as the map of the area to be annexed to the District, and the City Clerk of the City of Sacramento is hereby authorized and directed to endorse the certificate on said map evidencing the date and adoption of this resolution.

MAYOR

ATTEST:

CITY CLERK

c:\submaint.map

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FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

EXHIBIT A

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

ALL OF LOTS 1 AND 3 AS SAID LOTS ARE SHOWN ON THE OFFICIAL PLAT OF WILLOW CREEK FILED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 212 OF MAPS, MAP NO. 5, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PLAT; THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTHERLY BOUNDARY OF SAID PLAT TO THE CENTERLINE OF UNITY WAY NORTH 89~45'05" EAST 933.08 FEET:

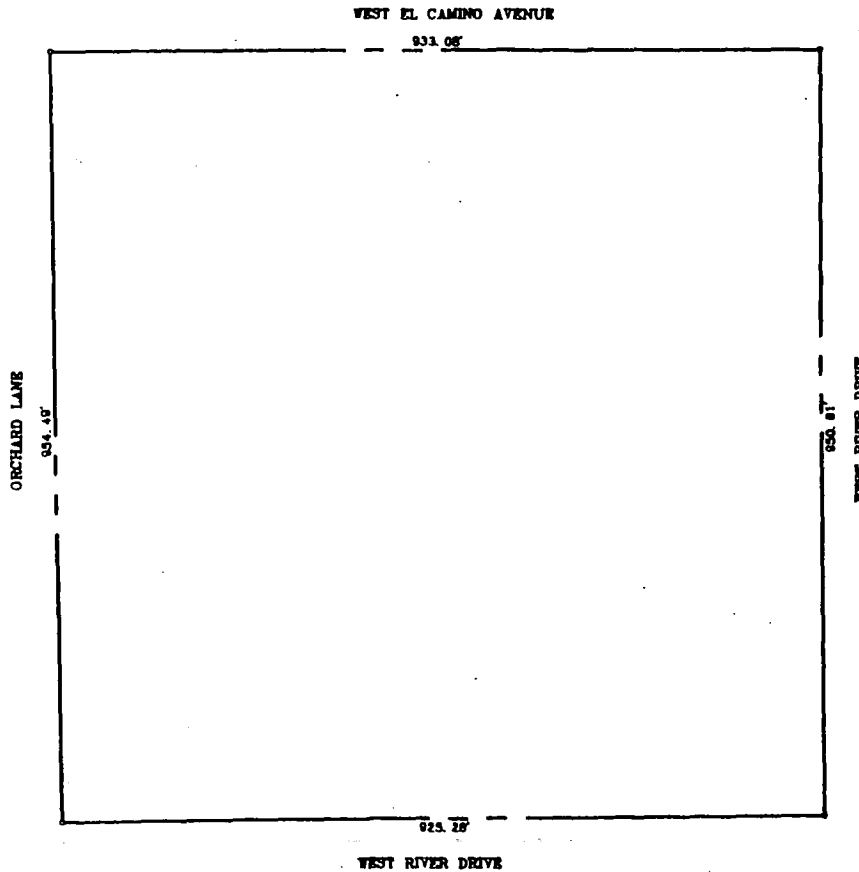
PROPOSED BOUNDARIES OF
ANNEXATION NO. 3
WILLOWCREEK MAINTENANCE
ASSESSMENT DISTRICT NO. 98-03

CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

SCALE: 1"=100' FEBRUARY, 1999

The Splink Corporation

Sheet 1 of 1 Sheets



CLERK'S MAP FILING STATEMENT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION NO. 3 WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03, CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AT A MEETING THEREOF HELD ON THE _____ DAY OF _____ 19____ BY ITS RESOLUTION NO. _____

VALARIE BURTONS

CITY CLERK, CITY OF SACRAMENTO

CLERK'S MAP CERTIFICATE

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION NO. 3 WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03, CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AT A MEETING THEREOF HELD ON THE _____ DAY OF _____ 19____ BY ITS RESOLUTION NO. _____

VALARIE BURTONS

CITY CLERK, CITY OF SACRAMENTO

COUNTY RECORDER'S FILING STATEMENT

FILED THIS _____ DAY OF _____ 19____ AT THE HOUR OF _____ O'CLOCK _____ M. IN BOOK _____ OF MAPS OF ASSESSMENT DISTRICTS AND COMMUNITY FACILITIES DISTRICTS AT PAGE _____ IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA.

COUNTY RECORDER OF THE COUNTY OF SACRAMENTO COUNTY

BY _____

LEGEND:
DISTRICT BOUNDARY

EXHIBIT A-1



EXHIBIT B

ANNEXATION NO. 3 WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03

The improvement maintenance work (hereafter referred to as the "work") for Annexation No. 3 to the Willowcreek Maintenance Assessment District is briefly described in three parts as follows:

Part #1:

The work described herein is to be carried out at Storm Sump 160 located within the boundaries of the Willowcreek Assessment District No. 94-03 recorded on March 17, 1995, in Book 80 of Maps of Assessment Districts and Community Facilities District at Page 26 in the office of the County Recorder of the County of Sacramento, State of California:

The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to provide inspections and water quality and sediment sampling and analysis.

Part #2

The work described herein is to be carried out at Storm Sump 160, the storm drainage manholes, inlets and pipes in Orchard Lane/River Plaza Drive from its northerly intersection of the Natomas Main Drainage Canal to a point approximately 1,700 feet south of its intersection of West El Camino Avenue, Unity Way, Road "A", Road "B" all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Unity Parkside Unit No. 1 Subdivision located within Annexation No. 3 to the Willowcreek Maintenance Assessment District No. 98-03:

The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to remove sediment and other debris from the storm drainage system. Maintenance work may include, but not be limited to, sediment removal, normal cleaning and inspection of all storm drainage pipes, inlets, manholes and storm Sump 160.

Part #3

The work described herein is to be carried out on Orchard Lane/River Plaza Drive from its northerly intersection of the Natomas Main Drainage Canal to a point approximately 1,700 feet south of its intersection of West El Camino Avenue, Unity Way, Road "A", Road "B" all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Unity Parkside Unit No. 1 Subdivision located within the Annexation No. 3 to the Willowcreek Maintenance Assessment District No. 98-03:

99-090

RESOLUTION NO.

APPROVED
BY THE CITY COUNCIL

ADOPTED BY THE SACRAMENTO CITY COUNCIL

MAR 2 1999

ON DATE OF _____

OFFICE OF THE
CITY CLERK

**A RESOLUTION OF INTENTION TO ANNEX
TERRITORY TO THE CITY OF SACRAMENTO
WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03 AND TO
LEVY AN ASSESSMENT UPON THE ANNEXED PROPERTY
TO FINANCE THE COST OF MAINTENANCE SERVICES TO
BE PROVIDED TO THE ANNEXED PROPERTY PURSUANT
TO TITLE 81 OF THE SACRAMENTO CITY CODE
(ANNEXATION NO. 3)**

WHEREAS:

A. The City Council of the City of Sacramento ("City") has heretofore established the City of Sacramento Willowcreek Maintenance Assessment District No. 98-03 ("District") pursuant to the provisions of Title 81 of the Sacramento City Code ("Act").

B. The purpose of the District is to provide an assured source of financing the cost of specified maintenance services ("Services") relating to certain improvements which are installed in and about approved subdivisions by landowners, so as to maintain those improvements in a manner designed to deter deterioration and to improve the quality of life of subdivision residents.

C. As part of the conditions for approval of subdivision maps within the City, landowners are required to annex the property within the subdivision to the District, and City will not approve a final subdivision map without such proceedings having been commenced and completed.

D. Unity Parkside Village LLC, a California limited liability company, ("Landowner") has presented a petition to the City requesting that the City commence proceedings for annexation of the land described in Exhibit A, attached hereto and incorporated herein by this reference ("Property"), to the District, pursuant to the provisions of Article XIID of the California Constitution and the Act.

E. Landowner has installed, or will install the improvements specified in Exhibit B, attached hereto and incorporated herein by this reference ("Improvements") in and upon the Property.

F. The maintenance services specified in Exhibit B, attached hereto and incorporated herein by this reference ("Services") are those that will be financed through these proceedings to annex the Property to the District, all of which are authorized as "Maintenance" under the Act.

G. The City Council has heretofore adopted Resolution No. 99-_____, whereunder Landowner's petition to annex territory to the District was accepted, annexation proceedings were initiated, the Director of Public Works was appointed as engineer of record ("Engineer"), and the Engineer was directed to prepare the report required by the Act.

H. The City Council has also heretofore adopted Resolution No. 99-_____, whereunder the Engineer's report, which was duly filed with the City Clerk, was approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THAT:

Section 1. The recitals set forth above are true and correct, and the City Council so finds and determines.

Section 2. The City Council hereby declares its intention to annex the Property, as described in Exhibit A, to the City of Sacramento Willowcreek Maintenance Assessment District No. 98-03, and to levy an assessment upon the Property to finance the cost of provision of the Services within the annexed Property, all subject to the procedures required by Article XIID of the California Constitution, and the provisions of the Act.

Section 3. The Property within the boundaries hereinafter specified and described is the area to be benefitted by the Services and to be assessed to pay the cost and expenses thereof; that the cost and expenses of the Services shall be made chargeable upon said assessment district; and that the exterior boundaries of said district are hereby specified and described to be as shown on that certain map now on file in the office of the City Clerk of the City approved by that certain resolution adopted by the Council on February 16, 1999, entitled "Boundary Map, Willowcreek Maintenance Assessment District No. 98-03, City of Sacramento, County of Sacramento, State of California", which map indicates by a boundary line the exterior boundaries of the territory included in the District and shall

govern for all details as to the extent of said District.

Section 4. The improvements as to which the Services are proposed to be provided are specified in Exhibit B. The Services to be provided within the annexed area of the District are as specified in Exhibit B.

Section 5. The Council hereby determines and notice is hereby given that, subject to Section 5 hereof, a maximum annual assessment of four thousand nine hundred fifty dollars (\$4,950.00) upon each of the several subdivisions of land within the annexed area of the District is proposed to pay costs incurred by the City and not otherwise reimbursed for the administration and collection of the assessments and related work.

Section 6. The annual assessment, including the maximum annual assessment, may be increased for inflation. The actual amount of the increase [not to exceed four percent (4%) per annum] shall be computed based on the Consumer Price Index (prior year annual average, San Francisco, All Urban Consumers Index, or a substitute index of a similar nature should the specified index be discontinued).

Section 7. The Council hereby determines and notice is hereby given that it is the intention of the Council that penalties shall be added to delinquent assessment installments in accordance with the provisions of Title 81, Chapter 81.04, Section 81.04.402 of the Sacramento City Code.

MAYOR

ATTEST:

CITY CLERK

c:\submain1.roi

FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

EXHIBIT A

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

ALL OF LOTS 1 AND 3 AS SAID LOTS ARE SHOWN ON THE OFFICIAL PLAT OF WILLOW CREEK FILED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 212 OF MAPS, MAP NO. 5, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PLAT; THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTHERLY BOUNDARY OF SAID PLAT TO THE CENTERLINE OF UNITY WAY NORTH 89~45'05" EAST 933.08 FEET; THENCE ALONG THE CENTERLINE OF UNITY WAY SOUTH 00~28'21" EAST 950.80 FEET; THENCE SOUTH 89~31'39" WEST 925.28 FEET TO THE WESTERLY BOUNDARY OF SAID PLAT; THENCE ALONG SAID BOUNDARY NORTH 00~56'26" WEST 954.49 FEET TO THE POINT OF BEGINNING, CONTAINING 20.320 ACRES MORE OR LESS.

EXHIBIT B

ANNEXATION NO. 3 WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03

The improvement maintenance work (hereafter referred to as the "work") for Annexation No. 3 to the Willowcreek Maintenance Assessment District is briefly described in three parts as follows:

Part #1:

The work described herein is to be carried out at Storm Sump 160 located within the boundaries of the Willowcreek Assessment District No. 94-03 recorded on March 17, 1995, in Book 80 of Maps of Assessment Districts and Community Facilities District at Page 26 in the office of the County Recorder of the County of Sacramento, State of California:

The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to provide inspections and water quality and sediment sampling and analysis.

Part #2

The work described herein is to be carried out at Storm Sump 160, the storm drainage manholes, inlets and pipes in Orchard Lane/River Plaza Drive from its northerly intersection of the Natomas Main Drainage Canal to a point approximately 1,700 feet south of its intersection of West El Camino Avenue, Unity Way, Road "A", Road "B" all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Unity Parkside Unit No. 1 Subdivision located within Annexation No. 3 to the Willowcreek Maintenance Assessment District No. 98-03:

The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to remove sediment and other debris from the storm drainage system. Maintenance work may include, but not be limited to, sediment removal, normal cleaning and inspection of all storm drainage pipes, inlets, manholes and storm Sump 160.

Part #3

The work described herein is to be carried out on Orchard Lane/River Plaza Drive from its northerly intersection of the Natomas Main Drainage Canal to a point approximately 1,700 feet south of its intersection of West El Camino Avenue, Unity Way, Road "A", Road "B" all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Unity Parkside Unit No. 1 Subdivision located within the Annexation No. 3 to the Willowcreek Maintenance Assessment District No. 98-03:

APPROVED
BY THE CITY COUNCIL

MAR 2 1999

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 99-091

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SACRAMENTO PRELIMINARILY APPROVING
AN ENGINEER'S REPORT ON MAINTENANCE
SERVICES IN AND FOR THE
WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03, AS
REVISED TO REFLECT ANNEXATION OF TERRITORY
AND FIXING THE TIME AND PLACE FOR A
PUBLIC HEARING OF PROTESTS TO THE
PROVISION OF MAINTENANCE SERVICES,
THE EXTENT OF THE ASSESSMENT DISTRICT
AND THE LEVY OF THE ASSESSMENT
AND PROVIDING FOR PROPERTY OWNER
BALLOTS FOR SUCH ASSESSMENT DISTRICT
(ANNEXATION NO. 3)**

WHEREAS:

A. The City Council of the City of Sacramento ("City") has heretofore established the City of Sacramento Willowcreek Maintenance Assessment District No. 98-03 ("District") pursuant to the provisions of Title 81 of the Sacramento City Code ("Act").

B. The purpose of the District is to provide an assured source of financing the cost of specified maintenance services ("Services") relating to certain improvements which are installed in and about approved subdivisions by landowners, so as to maintain those improvements in a manner designed to deter deterioration and to improve the quality of life of subdivision residents.

C. As part of the conditions for approval of subdivision maps within the City, landowners are required to annex the property within the subdivision to the District, and City will not approve a final subdivision map without such proceedings having been commenced and completed.

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FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

D. Unity Parkside Village LLC, a California limited liability company ("Landowner") has presented a petition to the City requesting that the City commence proceedings for annexation of the land described in Exhibit A, attached hereto and incorporated herein by this reference ("Property"), to the District, pursuant to the provisions of Article XIID of the California Constitution and the Act.

E. Landowner has installed, or will install the improvements specified in Exhibit B, attached hereto and incorporated herein by this reference ("Improvements") in and upon the Property.

F. The maintenance services specified in Exhibit B, attached hereto and incorporated herein by this reference ("Services") are those that will be provided with respect to the improvements specified in Exhibit B, attached hereto and incorporated herein by this reference, to be financed through these proceedings to annex the Property to the District, all of which are authorized as "Maintenance" under the Act.

G. The City Council has heretofore adopted Resolution No. 99-_____, whereunder Landowner's petition to annex territory to the District was accepted, annexation proceedings were initiated, the Director of Public Works was appointed as engineer of record ("Engineer"), and the Engineer was directed to prepare the report required by the Act.

H. The City Council has heretofore adopted Resolution No. 99-_____, whereunder the boundary map, which was duly filed with the City Clerk, was approved.

I. The City Council has heretofore adopted Resolution No. 99-_____, whereunder it declared its intention to order annexation of the Property to the District, and to order the provision of the Services within the annexed territory.

J. The Council, in said resolution, directed the Engineer to prepare and file with the City Clerk the Engineer's report, which report has been duly filed with the Clerk and presented to the Council for consideration and has been fully considered by the Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THAT:

Section 1. The recitals set forth above are true and correct, and the City Council so finds and determines.

FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

Section 2. The Engineer's report is hereby preliminarily approved by the Council, and 2:00 p.m. on Tuesday, April 20, 1999 at the regular meeting place of the Council, City Council Chambers, Sacramento City Hall, 915 I Street, Sacramento, California 95814, is hereby fixed as the time and place for a public hearing of protests to the annexation of the Property to the District, to the Services to be provided in and for the District, to the extent of said District and to the levy of the assessment which will finance the cost of the Services. Any interested person may object to the annexation of the Property to the District, to the provision of the Services, or to the extent of said District or to the levy of said assessment by filing a written protest with the City Clerk of the City at or before the time set for said public hearing; provided, that each protest must contain a description of the property in which the signer thereof is interested sufficient to identify the same and, if the signers are not shown on the last equalized assessment roll as the owners of such property, must contain or be accompanied by written evidence that such signers are the owners of such property. The City Clerk of the City shall endorse on each protest the date of its receipt and at said time appointed for said hearing shall present to the Council all protests filed with said Clerk's office.

Section 3. The City Clerk is directed to cause a notice to property owners owning property within the area to be annexed (the Property) of the time and place of said public hearing and of the ballot procedure required by Article XIID of the California Constitution (together with the property owner ballots) to be given by mailing notices thereof (together with such ballots) in the time, form and manner provided by law, and upon the completion of the mailing of said notice and said ballots, the City Clerk is directed to file with the Council an affidavit setting forth the time and manner of the compliance with the requirements of law for mailing said notice and ballots. Notice is hereby given that the balloting procedure shall apply only to the owners of the Property which is being annexed to the District. The notice shall be in the form set forth in Exhibit C, attached hereto and incorporated herein by this reference.

Section 4. Ron Wicky, Special Districts Analyst, Department of Public Works, City of Sacramento, 1231 I Street, Room 300, Sacramento, California 95814, telephone (916) 264-5628, is hereby designated to answer inquiries regarding the protest proceedings herein provided for.

ATTEST:

MAYOR

CITY CLERK

c:\submaint.not

FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

25

EXHIBIT A

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

ALL OF LOTS 1 AND 3 AS SAID LOTS ARE SHOWN ON THE OFFICIAL PLAT OF WILLOW CREEK FILED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 212 OF MAPS, MAP NO. 5, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PLAT; THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTHERLY BOUNDARY OF SAID PLAT TO THE CENTERLINE OF UNITY WAY NORTH 89°45'05" EAST 933.08 FEET; THENCE ALONG THE CENTERLINE OF UNITY WAY SOUTH 00°28'21" EAST 950.80 FEET; THENCE SOUTH 89°31'39" WEST 925.28 FEET TO THE WESTERLY BOUNDARY OF SAID PLAT; THENCE ALONG SAID BOUNDARY NORTH 00°56'26" WEST 954.49 FEET TO THE POINT OF BEGINNING, CONTAINING 20.320 ACRES MORE OR LESS.

EXHIBIT B

ANNEXATION NO. 3 WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03

The improvement maintenance work (hereafter referred to as the "work") for Annexation No. 3 to the Willowcreek Maintenance Assessment District is briefly described in three parts as follows:

Part #1:

The work described herein is to be carried out at Storm Sump 160 located within the boundaries of the Willowcreek Assessment District No. 94-03 recorded on March 17, 1995, in Book 80 of Maps of Assessment Districts and Community Facilities District at Page 26 in the office of the County Recorder of the County of Sacramento, State of California:

The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to provide inspections and water quality and sediment sampling and analysis.

Part #2

The work described herein is to be carried out at Storm Sump 160, the storm drainage manholes, inlets and pipes in Orchard Lane/River Plaza Drive from its northerly intersection of the Natomas Main Drainage Canal to a point approximately 1,700 feet south of its intersection of West El Camino Avenue, Unity Way, Road "A", Road "B" all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Unity Parkside Unit No. 1 Subdivision located within Annexation No. 3 to the Willowcreek Maintenance Assessment District No. 98-03:

The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to remove sediment and other debris from the storm drainage system. Maintenance work may include, but not be limited to, sediment removal, normal cleaning and inspection of all storm drainage pipes, inlets, manholes and storm Sump 160.

Part #3

The work described herein is to be carried out on Orchard Lane/River Plaza Drive from its northerly intersection of the Natomas Main Drainage Canal to a point approximately 1,700 feet south of its intersection of West El Camino Avenue, Unity Way, Road "A", Road "B" all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Unity Parkside Unit No. 1 Subdivision located within the Annexation No. 3 to the Willowcreek Maintenance Assessment District No. 98-03:

EXHIBIT C

CITY OF SACRAMENTO

ANNEXATION NO. 3 TO THE WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03

NOTICE TO PROPERTY OWNERS OF THE TIME AND PLACE OF A PUBLIC MEETING ON THE LEVY OF AN ASSESSMENT AND OF THE TIME AND PLACE OF A PUBLIC HEARING OF PROTESTS TO THE MAINTENANCE OF PUBLIC IMPROVEMENTS, THE EXTENT OF AN ASSESSMENT DISTRICT AND THE LEVY OF AN ASSESSMENT AND NOTICE OF THE PROPERTY OWNER BALLOT PROCEDURE FOR THE ASSESSMENT DISTRICT.

NOTICE IS HEREBY GIVEN that on March 2, 1999, the City Council (the "Council") of the City of Sacramento (the "City") duly adopted Resolution No. 99-[], (the "Resolution of Intention"), wherein it declared its intention to order the maintenance of those certain public improvements more particularly described in Exhibit A attached hereto and incorporated herein and made a part hereto under the provisions of the Sacramento City Code Title 81 in and for an assessment district in the City (therein provided for) designated the "City of Sacramento Annexation No. 3 to the Willowcreek Maintenance Assessment District No. 98-03."

NOTICE IS HEREBY FURTHER GIVEN that the Council in and by the Resolution of Intention referred said public improvements to the Director of Public Works of the City as the Engineer of Work in said proceedings and directed the Engineer of Work to prepare and file with the City Clerk of the City a report containing the matters specified in Section 81.02.203 of the City Code of the City of Sacramento, and that the Engineer of Work duly prepared and filed his report dated March 2, 1999, with the City Clerk of the City on March 2, 1999, which report was presented to and was preliminarily approved by the Council by resolution adopted on March 2, 1999.

NOTICE IS HEREBY FURTHER GIVEN that 2:00 o'clock p.m. on Tuesday April 20, 1999, at the regular meeting place of the Council, City Council Chambers, 2nd Floor, Sacramento City Hall, 915 I Street, Sacramento, California 95814, has been fixed by the Council as the time and place for a public hearing of protests to the maintenance of said public improvements, to the extent of said assessment district and to the levy of said assessment, and that any interested person may object to the maintenance of said public improvements, or to the extent of said assessment district or to the levy of said assessment by filing a written protest with the City Clerk of the City at or before the time set for said public hearing, and all mailed protests should be addressed to the City Clerk, Sacramento City Hall, 915 I Street, Room 304, Sacramento, California 95814. Each protest must contain a description of the property in which each signer thereof is interested sufficient to identify the property and, if the signers are not shown on the last equalized assessment roll as the owners of the property, must contain or be accompanied by written evidence that the signers are the owners of such property. The City Clerk of the City shall endorse on each protest the date of its receipt and at the time appointed for said hearing shall present to the Council all protests filed with her.

NOTICE IS HEREBY FURTHER GIVEN that the total estimated cost of the maintenance of said public improvements is \$4,950.00, which is proposed to be met by the levy of said assessment in said proceedings for fiscal year 1999/2000.

NOTICE IS HEREBY FURTHER GIVEN that the basis on which the amount of such proposed assessment was calculated is more particularly set forth in Exhibit B attached hereto and incorporated herein and made a part hereof.

NOTICE IS HEREBY FURTHER GIVEN that, as required by Section 4 of Article XIII D of the California Constitution, a Property Owner Ballot has been enclosed with this notice, along with a self-addressed, return envelope by which the ballot may be returned to the City Clerk at her office at the Sacramento City Hall, City of Sacramento, 915 I Street, Room 304, Sacramento, California 95814. This ballot may be used by the owner or owners of any parcel to express either support for or opposition to the proposed assessment, and the ballot may be returned either by mail (which may be done using the enclosed envelope but requires the user to provide the required postage) or by personal delivery, either prior to or at the time of the public hearing of protests on April 20, 1999.

NOTICE IS HEREBY FURTHER GIVEN that, immediately following the close of the public hearing of protests, the returned property owner ballots will be tabulated, both in support of and in opposition to the assessment, with ballots being weighted in accordance with the amount of the proposed assessment, and the results will be announced; provided, that in the event the City Clerk requires opportunity to determine whether any ballot has been properly signed by an owner or authorized representative of an owner, the Council reserves entitlement to continue the matter of announcing results to provide the City Clerk with such opportunity. In the event that ballots in opposition exceed ballots in support, there will be a "majority protest", and the City Council will be precluded from proceeding with the proposed assessment. THIS MEASURE OF MAJORITY PROTEST IS COMPLETELY INDEPENDENT OF THE WRITTEN PROTEST PROCEDURE, WHICH IS DESCRIBED ABOVE.

NOTICE IS HEREBY FURTHER GIVEN that Ron Wicky, Special Districts Analyst, Department of Public Works, City of Sacramento, 1231 I Street, Room 300, Sacramento, California 95814, telephone (916) 264-5628, has been designated to answer inquiries regarding the protest proceedings.

NOTICE IS HEREBY FURTHER GIVEN that the legal records of Sacramento County indicate that you own that certain real property constituting the Sacramento County Assessor's Parcel Number set forth below, and that the amount proposed to be assessed against such parcel, as shown by said report, is set forth below.

For all further particulars concerning said proceedings, reference is hereby made to the Resolution of Intention and to said report, both of which are on file in the office of the City Clerk of the City, Sacramento City Hall, 915 I Street, Sacramento, California 95814, and may be examined at said office by any interested persons.

Dated: _____

City Clerk of the City of Sacramento

EXHIBIT A

ANNEXATION NO. 3 TO THE WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03

The improvement maintenance work (hereafter referred to as the "work") for the Annexation No. 3 to the Willowcreek Maintenance Assessment District is briefly described in three parts as follows:

Part #1:

The work described herein is to be carried out at Storm Sump 160 located within the boundaries of the Willowcreek Assessment District No. 94-03 recorded on March 17, 1998, in Book 80 of Maps of Assessment Districts and Community Facilities District at Page 26 in the office of the County Recorder of the County of Sacramento, State of California:

The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to provide inspections and water quality and sediment sampling and analysis.

Part #2

The work described herein is to be carried out at Storm Sump 160, the storm drainage manholes, inlets and pipes in Orchard Lane/River Plaza Drive from its northerly intersection of the Natomas Main Drainage Canal to a point approximately 1,700 feet south of its intersection of West El Camino Avenue, Barandas Drive (formerly known as Road "A"), West River Drive (formerly known as Road "B" & Unity Way) all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Unity Parkside Unit No. 1 Subdivision located within Annexation No. 3 to the Willowcreek Maintenance Assessment District No. 98-03:

The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to remove sediment and other debris from the storm drainage system. Maintenance work may include, but not be limited to, sediment removal, normal cleaning and inspection of all storm drainage pipes, inlets, manholes and storm Sump 160.

Part #3

The work described herein is to be carried out on Orchard Lane/River Plaza Drive from its northerly intersection of the Natomas Main Drainage Canal to a point approximately 1,700 feet south of its intersection of West El Camino Avenue, Barandas Drive (formerly known as Road "A"), West River Drive (formerly known as Road "B" & Unity Way) all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Unity Parkside Unit No. 1 Subdivision located within the Annexation No. 3 to the Willowcreek Maintenance Assessment District No. 98-03:

The work to be performed consists of furnishing all tools, equipment, facilities, labor, material, supplies and utilities necessary or desirable to mechanically sweep the roadways in order to remove sediment and other debris.

EXHIBIT B
ANNEXATION NO. 3 TO THE WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03
ASSESSMENT METHODOLOGY

Water quality issues for the Willowcreek area require that all new residential subdivisions join a maintenance district that would provide services which address and mitigate storm water environmental impacts caused by the subdivision. Since each residential lot within each subdivision in the Willowcreek area (see Exhibit B-1) will generate equivalent water quality impacts which must be addressed and receive the same benefit from the maintenance described on Exhibit A of this notice, each parcel will share equally in the total cost.

The boundary of the first subdivision map to be approved by City Council will be the boundary of the Willowcreek Maintenance Assessment District. When the remaining subdivisions submit for approval, they will be required to annex to this district.

The following action describes the proposed method of assessing the annual maintenance costs for the Willowcreek Maintenance Assessment District to each parcel in the district in relation to the amount of benefit received. Since each residential parcel receives the same benefit the costs for this district are assessed to each residential parcel within the district boundary.

The costs of maintenance will be spread equally to all residential parcels within the district.

The cost of all incidental expenses, including preparation of Engineer's Report, annual proceedings and district administration, will be spread equally to all residential parcels within the district.

WILLOWCREEK

MAINTENANCE ASSESSMENT DISTRICT NO. 98-03

AREA OF WORK

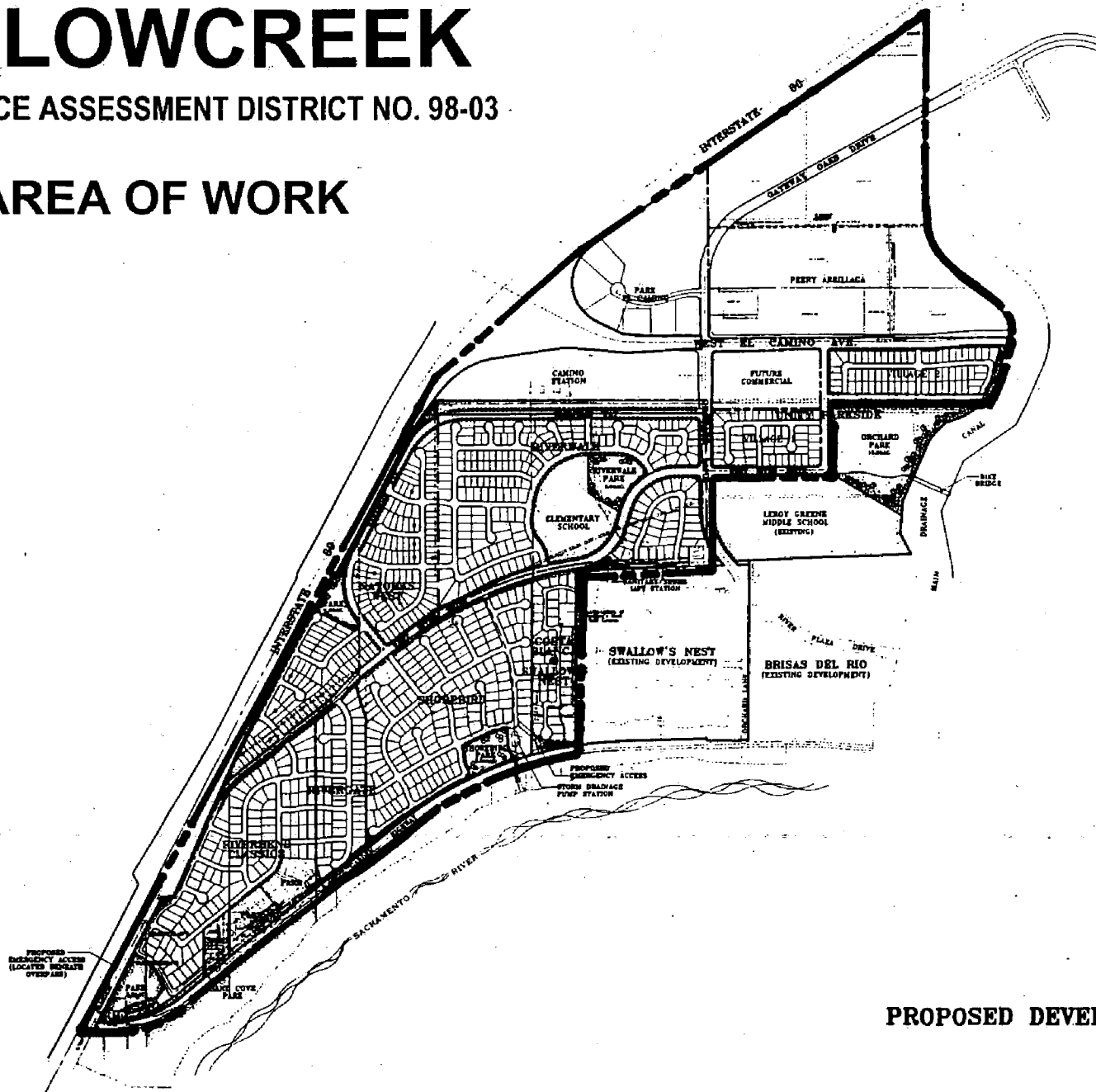


EXHIBIT B-1

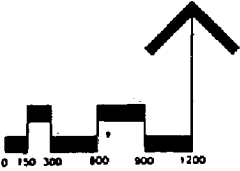
PROPOSED DEVELOPMENTS

February 2, 1998
December 11, 1998
April 15, 1999
November 4, 1997

The Spink Corporation

2100 VENTURE OAKS WAY, SACRAMENTO, CALIFORNIA 95833-3286
PHONE: (916) 925-5686 FAX: (916) 921-9274

NOTE:
THIS SITE PLAN IS FOR PRELIMINARY PLANNING PURPOSES ONLY. ALL SITE CHARACTERISTICS WHICH MAY AFFECT FINAL PLAN TO BE VERIFIED.



CITY OF SACRAMENTO
ANNEXATION NO. 3 TO THE WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03
PROPERTY OWNER BALLOT

This ballot is for the use of the property owner of the parcel identified below by Assessment Parcel Number, which parcel is located within the proposed City of Sacramento Annexation No.3 to the Willow Creek Maintenance Assessment District No. 98-03. Please advise the City Clerk as soon as possible at (916) 264-5426 if the name set forth below is incorrect.

This ballot may be used to express either support for or opposition to the proposed assessment in the proposed assessment district, which is the subject of the Engineer's Report, dated March 2, 1999, on file with the City Clerk and available for inspection at her office.

In order to be counted, this ballot must be signed below by an owner of the identified Assessment Parcel Number or, if such owner is not an individual, by an authorized representative of the owner. The ballot must then be returned to the City Clerk at the Sacramento City Hall, City of Sacramento, 915 I Street, Room 304, Sacramento, California 95814, either by mail or in person.

Mail Delivery:

If by mail, seal in the envelope provided, affix first class postage, and place in the mail not later than several days prior to April 20, 1999, as mailing later than this time creates a risk that the ballot may not be received in time to be counted.

Personal Delivery:

If in person, to the City Clerk at any time up to 1:00 p.m. on April 20, 1999, at the City Clerk's office at the Sacramento City Hall, City of Sacramento, 915 I Street, Room 304, Sacramento, California 95814, or at the protest hearing beginning at 2:00 p.m. on April 20, 1999 at the City Council Chambers, Sacramento City Hall, 2nd Floor, 915 I Street, Sacramento, California 95814.

THIS BALLOT MUST BE RECEIVED BY THE CITY CLERK PRIOR TO THE CLOSE OF THE PUBLIC HEARING TO BE COUNTED.

TO CAST THIS BALLOT, RETURN EITHER THIS ENTIRE PAGE
OR THE PORTION BELOW THIS LINE

BALLOT

AN "X" OR OTHER MARK WILL CAST YOUR VOTE IN THE SPACE PROVIDED

Assessment Number:

Assessor Parcel Number(s):

Owner Name(s):

Votes Cast (Assessment Amount):

_____ Yes, I approve of the proposed assessment amount on the parcel identified in this ballot.

_____ No, I do not approve of the proposed assessment on this parcel.

Owner Signature _____ Date: _____

ENGINEER'S REPORT

**ANNEXATION NO. 3 TO THE
WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03**

The undersigned respectfully submits the enclosed report as directed by the City Council.

Dated: March 2, 1999

Michael Kashiwagi, Director Public Works
City of Sacramento, Engineer of Work

By: _____

I HEREBY CERTIFY that the enclosed Engineer's Report together with Assessment and Assessment Diagram thereto attached, was filed with me on the 2nd day of March, 1999.

Valerie A. Burrows, City Clerk
City of Sacramento, Sacramento County, California

By: Valerie A. Burrows

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Sacramento, California, on the _____ day of _____, 1999.

Valerie A. Burrows, City Clerk
City of Sacramento, Sacramento County, California

By: _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was recorded in my office on the _____ day of _____, 1999.

Michael Kashiwagi, Director Public Works
City of Sacramento, Engineer of Work

By: _____

ENGINEER'S REPORT

ANNEXATION NO. 3 TO THE WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03

MICHAEL KASHIWAGI, Engineer of Work for Annexation No. 3 to the Willowcreek Maintenance Assessment District No. 98-03, City of Sacramento, County of Sacramento, State of California, makes this report, as directed by the City Council pursuant to Chapter 81 of the Sacramento City Code.

The improvement maintenance work, which is the subject of this report (hereafter referred to as the "work") is briefly described in three parts as follows:

Part #1:

The work described herein is to be carried out at Storm Sump 160 located within the boundaries of the Willowcreek Assessment District No. 94-03 recorded on March 17, 1995, in Book 80 of Maps of Assessment Districts and Community Facilities District at Page 26 in the office of the County Recorder of the County of Sacramento, State of California:

The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to provide inspections and water quality and sediment sampling and analysis.

Part #2

The work described herein is to be carried out at Storm Sump 160, the storm drainage manholes, inlets and pipes in Orchard Lane/River Plaza Drive from its northerly intersection of the Natomas Main Drainage Canal to a point approximately 1,700 feet south of its intersection of West El Camino Avenue, Barandas Drive (formerly known as Road "A"), West River Drive (formerly known as Road "B" & Unity Way) all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Unity Parkside Unit No. 1 Subdivision located within Annexation No. 3 to the Willowcreek Maintenance Assessment District No. 98-03:

The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to remove sediment and other debris from the storm drainage system. Maintenance work may include, but not be limited to, sediment removal, normal cleaning and inspection of all storm drainage pipes, inlets, manholes and storm Sump 160.

Part #3

The work described herein is to be carried out on Orchard Lane/River Plaza Drive from its northerly intersection of the Natomas Main Drainage Canal to a point approximately 1,700 feet south of its intersection of West El Camino Avenue, Barandas Drive (formerly known as Road "A"), West River Drive (formerly known as Road "B" & Unity Way) all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Unity Parkside Unit No. 1 Subdivision located within the Annexation No. 3 to the Willowcreek Maintenance Assessment District No. 98-03:

The work to be performed consists of furnishing all tools, equipment, facilities, labor, material, supplies and utilities necessary or desirable to mechanically sweep the roadways in order to remove sediment and other debris.

Funds raised for the above-described maintenance work shall be based on annual benefit assessment apportioned to land benefitting from the work and within the boundaries of the maintenance district. The Council sets the assessment each year after receiving and reviewing an Engineer's Report and holding a public hearing.

This report includes the following attached exhibits:

EXHIBIT A: An estimate of the cost of the work.

EXHIBIT B: Schematic diagram of area of work.

EXHIBIT C: A statement of the method by which the undersigned determined the amount proposed to be assessed against each parcel, based on benefits to be derived by each parcel, respectively, from the work.

EXHIBIT D: An assessment roll showing the amount proposed to be specially assessed against each parcel of real property within this maintenance district. Each parcel is described by County Assessor's parcel number and each parcel is also assigned a separate "assessment number" for the purposes of this proceeding.

EXHIBIT E: A list of the names and addresses of the owners of real property within this maintenance, as shown on the last equalized assessment roll for taxes, or as known to the Clerk. The list is keyed to Exhibit D by assessment number.

EXHIBIT F: A diagram showing all of the parcels of real property within this maintenance district. The diagram is keyed to Exhibit D by assessment number.

Respectfully submitted,

Michael Kashiwagi, Director of Public Works
City of Sacramento, Sacramento County
State of California

EXHIBIT A

WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03 ANNEXATION NO.3 SUMMARY OF THE COSTS IN THE DISTRICT

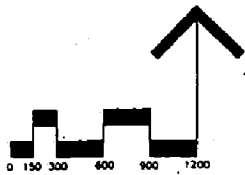
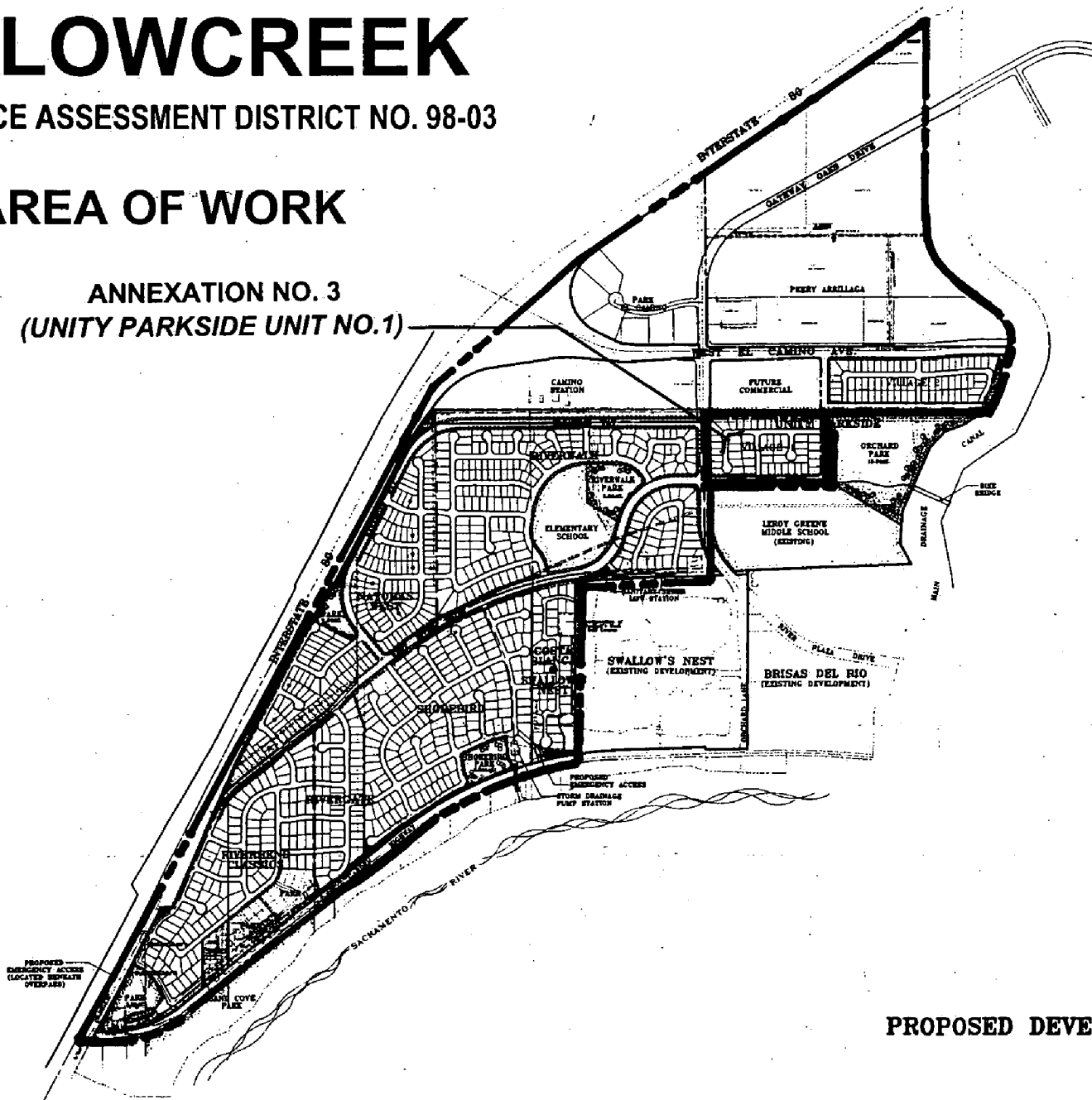
<u>DESCRIPTION</u>	<u>ITEMIZED COST</u>	
I. Maintenance Tasks		
a) Water Quality Monitoring & Inspection	\$330	
b) Pipes, Manholes, Pump Station, etc.	\$1,650	
c) Street Sweeping	<u>\$110</u>	
Total Maintenance Tasks		\$2,090
II. Administration		
a) Maintenance (Streets)	\$385	
b) City Attorney	\$715	
c) Reporting (Special Districts)	<u>\$1,595</u>	
Total Administration		\$2,695
III. Contingency		\$0
IV. Annual Billing & Administration		<u>\$165</u>
Total Budget		\$4,950

WILLOWCREEK

MAINTENANCE ASSESSMENT DISTRICT NO. 98-03

AREA OF WORK

ANNEXATION NO. 3
(UNITY PARKSIDE UNIT NO.1)



NOTE:
THIS SITE PLAN IS FOR PRELIMINARY PLANNING PURPOSES ONLY. ALL SITE CHARACTERISTICS WHICH MAY AFFECT FINAL PLAN TO BE VERIFIED.

PROPOSED DEVELOPMENTS

February 8, 1998
December 11, 1998
April 18, 1998
November 4, 1997

The Spink Corporation
2500 VENTURE GLEN WAY, SACRAMENTO CALIFORNIA 95833-3226
PHONE: (916) 928-0600 FAX: (916) 921-9874

EXHIBIT B

EXHIBIT C

ANNEXATION NO. 3 TO THE WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03 ASSESSMENT METHODOLOGY

Water quality issues for the Willowcreek area require that all new residential subdivisions join a maintenance district that would provide services which address and mitigate storm water environmental impacts caused by the subdivision. Since each residential lot within each subdivision in the Willowcreek area (see Exhibit B) will generate equivalent water quality impacts which must be addressed and receive the same benefit from the maintenance described on page 1 of this report, each parcel will share equally in the total cost.

The boundary of the first subdivision map to be approved by City Council will be the boundary of the Willowcreek Maintenance Assessment District. When the remaining subdivisions submit for approval, they will be required to annex to this district.

The following action describes the proposed method of assessing the annual maintenance costs for the Willowcreek Maintenance Assessment District to each parcel in the district in relation to the amount of benefit received. Since each residential parcel receives the same benefit the costs for this district are assessed to each residential parcel within the district boundary.

The costs of maintenance, more specifically described in Exhibit A to this report, will be spread equally to all residential parcels within the district.

The cost of all incidental expenses, including preparation of Engineer's Report, annual proceedings and district administration, will be spread equally to all residential parcels within the district.

EXHIBIT D
ASSESSMENT ROLL
ANNEXATION NO.3

WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03

<u>NO.</u>	<u>APN #</u>	<u>AMOUNT</u>
1	27402200030000	\$90.00
2	27402200030000	\$90.00
3	27402200030000	\$90.00
4	27402200030000	\$90.00
5	27402200030000	\$90.00
6	27402200030000	\$90.00
7	27402200030000	\$90.00
8	27402200030000	\$90.00
9	27402200030000	\$90.00
10	27402200030000	\$90.00
11	27402200030000	\$90.00
12	27402200030000	\$90.00
13	27402200030000	\$90.00
14	27402200030000	\$90.00
15	27402200030000	\$90.00
16	27402200030000	\$90.00
17	27402200030000	\$90.00
18	27402200030000	\$90.00
19	27402200030000	\$90.00
20	27402200030000	\$90.00
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26	27402200030000	\$90.00
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28	27402200030000	\$90.00
29	27402200030000	\$90.00
30	27402200030000	\$90.00
31	27402200030000	\$90.00
32	27402200030000	\$90.00
33	27402200030000	\$90.00
34	27402200030000	\$90.00
35	27402200030000	\$90.00
36	27402200030000	\$90.00
37	27402200030000	\$90.00
38	27402200030000	\$90.00
39	27402200030000	\$90.00
40	27402200030000	\$90.00
41	27402200030000	\$90.00
42	27402200030000	\$90.00
43	27402200030000	\$90.00
44	27402200030000	\$90.00
45	27402200030000	\$90.00
46	27402200030000	\$90.00
47	27402200030000	\$90.00
48	27402200030000	\$90.00
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50	27402200030000	\$90.00
51	27402200030000	\$90.00
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54	27402200030000	\$90.00
55	27402200030000	\$90.00

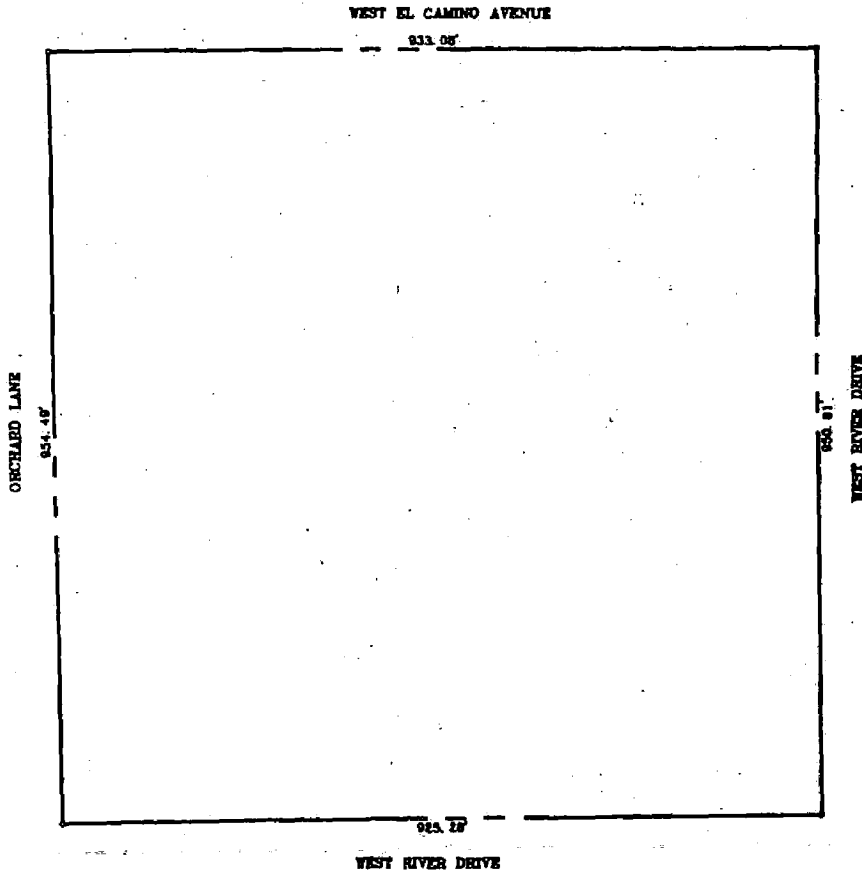
PROPOSED BOUNDARIES OF
ANNEXATION NO. 3
WILLOWCREEK MAINTENANCE
ASSESSMENT DISTRICT NO. 98-03

CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

SCALE: 1"=100' FEBRUARY, 1999

The Spink Corporation

Sheet 1 of 1 Sheets



CLERK'S MAP FILING STATEMENT

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF SACRAMENTO,
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, THIS _____ DAY OF _____
19____

VALARIE BURGESS
CITY CLERK, CITY OF SACRAMENTO

CLERK'S MAP CERTIFICATE

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES
OF ANNEXATION NO. 3 WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO.
98-03, CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA,
WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AT A
MEETING THEREOF HELD ON THE _____ DAY OF _____ 19____ BY ITS
RESOLUTION NO. _____

VALARIE BURGESS
CITY CLERK, CITY OF SACRAMENTO

COUNTY RECORDER'S FILING STATEMENT

FILED THIS _____ DAY OF _____ 19____ AT THE HOUR OF _____ O'CLOCK
P. M. IN BOOK _____ OF MAPS OF ASSESSMENT DISTRICTS AND COMMUNITY
FACILITIES DISTRICTS AT PAGE _____ IN THE OFFICE OF THE COUNTY
RECORDER OF THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA.

COUNTY RECORDER OF THE COUNTY
OF SACRAMENTO COUNTY

BY _____

LEGEND:

DISTRICT BOUNDARY _____

EXHIBIT F

EXHIBIT A

CITY OF SACRAMENTO

ANNEXATION NO. 3 TO THE WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03

NOTICE TO PROPERTY OWNERS OF THE TIME AND PLACE OF A PUBLIC MEETING ON THE LEVY OF AN ASSESSMENT AND OF THE TIME AND PLACE OF A PUBLIC HEARING OF PROTESTS TO THE MAINTENANCE OF PUBLIC IMPROVEMENTS, THE EXTENT OF AN ASSESSMENT DISTRICT AND THE LEVY OF AN ASSESSMENT AND NOTICE OF THE PROPERTY OWNER BALLOT PROCEDURE FOR THE ASSESSMENT DISTRICT.

NOTICE IS HEREBY GIVEN that on March 2, 1999, the City Council (the "Council") of the City of Sacramento (the "City") duly adopted Resolution No. 99-090, (the "Resolution of Intention"), wherein it declared its intention to order the maintenance of those certain public improvements more particularly described in Exhibit A attached hereto and incorporated herein and made a part hereto under the provisions of the Sacramento City Code Title 81 in and for an assessment district in the City (therein provided for) designated the "City of Sacramento Annexation No. 3 to the Willowcreek Maintenance Assessment District No. 98-03."

NOTICE IS HEREBY FURTHER GIVEN that the Council in and by the Resolution of Intention referred said public improvements to the Director of Public Works of the City as the Engineer of Work in said proceedings and directed the Engineer of Work to prepare and file with the City Clerk of the City a report containing the matters specified in Section 81.02.203 of the City Code of the City of Sacramento, and that the Engineer of Work duly prepared and filed his report dated March 2, 1999, with the City Clerk of the City on March 2, 1999, which report was presented to and was preliminarily approved by the Council by resolution adopted on March 2, 1999.

NOTICE IS HEREBY FURTHER GIVEN that 2:00 o'clock p.m. on Tuesday April 20, 1999, at the regular meeting place of the Council, City Council Chambers, 2nd Floor, Sacramento City Hall, 915 I Street, Sacramento, California 95814, has been fixed by the Council as the time and place for a public hearing of protests to the maintenance of said public improvements, to the extent of said assessment district and to the levy of said assessment, and that any interested person may object to the maintenance of said public improvements, or to the extent of said assessment district or to the levy of said assessment by filing a written protest with the City Clerk of the City at or before the time set for said public hearing, and all mailed protests should be addressed to the City Clerk, Sacramento City Hall, 915 I Street, Room 304, Sacramento, California 95814. Each protest must contain a description of the property in which each signer thereof is interested sufficient to identify the property and, if the signers are not shown on the last equalized assessment roll as the owners of the property, must contain or be accompanied by written evidence that the signers are the owners of such property. The City Clerk of the City shall endorse on each protest the date of its receipt and at the time appointed for said hearing shall present to the Council all protests filed with her.

NOTICE IS HEREBY FURTHER GIVEN that the total estimated cost of the maintenance of said public improvements is \$4,950.00, which is proposed to be met by the levy of said assessment in said proceedings for fiscal year 1999/2000.

NOTICE IS HEREBY FURTHER GIVEN that the basis on which the amount of such proposed assessment was calculated is more particularly set forth in Exhibit B attached hereto and incorporated herein and made a part hereof.

NOTICE IS HEREBY FURTHER GIVEN that, as required by Section 4 of Article XIII D of the California Constitution, a Property Owner Ballot has been enclosed with this notice, along with a self-addressed, return envelope by which the ballot may be returned to the City Clerk at her office at the Sacramento City Hall, City of Sacramento, 915 I Street, Room 304, Sacramento, California 95814. This ballot may be used by the owner or owners of any parcel to express either support for or opposition to the proposed assessment, and the ballot may be returned either by mail (which may be done using the enclosed envelope but requires the user to provide the required postage) or by personal delivery, either prior to or at the time of the public hearing of protests on April 20, 1999.

NOTICE IS HEREBY FURTHER GIVEN that, immediately following the close of the public hearing of protests, the returned property owner ballots will be tabulated, both in support of and in opposition to the assessment, with ballots being weighted in accordance with the amount of the proposed assessment, and the results will be announced; provided, that in the event the City Clerk requires opportunity to determine whether any ballot has been properly signed by an owner or authorized representative of an owner, the Council reserves entitlement to continue the matter of announcing results to provide the City Clerk with such opportunity. In the event that ballots in opposition exceed ballots in support, there will be a "majority protest", and the City Council will be precluded from proceeding with the proposed assessment. THIS MEASURE OF MAJORITY PROTEST IS COMPLETELY INDEPENDENT OF THE WRITTEN PROTEST PROCEDURE, WHICH IS DESCRIBED ABOVE.

NOTICE IS HEREBY FURTHER GIVEN that Ron Wicky, Special Districts Analyst, Department of Public Works, City of Sacramento, 1231 I Street, Room 300, Sacramento, California 95814, telephone (916) 264-5628, has been designated to answer inquiries regarding the protest proceedings.

NOTICE IS HEREBY FURTHER GIVEN that the legal records of Sacramento County indicate that you own that certain real property constituting the Sacramento County Assessor's Parcel Number set forth below, and that the amount proposed to be assessed against such parcel, as shown by said report, is set forth below.

For all further particulars concerning said proceedings, reference is hereby made to the Resolution of Intention and to said report, both of which are on file in the office of the City Clerk of the City, Sacramento City Hall, 915 I Street, Sacramento, California 95814, and may be examined at said office by any interested persons.

Dated: March 3, 1999

VALERIE BURROWES
City Clerk of the City of Sacramento

EXHIBIT A

ANNEXATION NO. 3 TO THE WILLOWCREEK MAINTENANCE ASSESSMENT DISTRICT NO. 98-03

The improvement maintenance work (hereafter referred to as the "work") for the Annexation No. 3 to the Willowcreek Maintenance Assessment District is briefly described in three parts as follows:

Part #1:

The work described herein is to be carried out at Storm Sump 160 located within the boundaries of the Willowcreek Assessment District No. 94-03 recorded on March 17, 1998, in Book 80 of Maps of Assessment Districts and Community Facilities District at Page 26 in the office of the County Recorder of the County of Sacramento, State of California:

The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to provide inspections and water quality and sediment sampling and analysis.

Part #2

The work described herein is to be carried out at Storm Sump 160, the storm drainage manholes, inlets and pipes in Orchard Lane/River Plaza Drive from its northerly intersection of the Natomas Main Drainage Canal to a point approximately 1,700 feet south of its intersection of West El Camino Avenue, Barandas Drive (formerly known as Road "A"), West River Drive (formerly known as Road "B" & Unity Way) all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Unity Parkside Unit No. 1 Subdivision located within Annexation No. 3 to the Willowcreek Maintenance Assessment District No. 98-03:

The work to be performed consists of furnishing all tools, equipment, apparatus, facilities, labor, material, supplies, and utilities necessary or desirable to remove sediment and other debris from the storm drainage system. Maintenance work may include, but not be limited to, sediment removal, normal cleaning and inspection of all storm drainage pipes, inlets, manholes and storm Sump 160.

Part #3

The work described herein is to be carried out on Orchard Lane/River Plaza Drive from its northerly intersection of the Natomas Main Drainage Canal to a point approximately 1,700 feet south of its intersection of West El Camino Avenue, Barandas Drive (formerly known as Road "A"), West River Drive (formerly known as Road "B" & Unity Way) all located within the Willowcreek Assessment District No. 94-03 and the roadways within the Unity Parkside Unit No. 1 Subdivision located within the Annexation No. 3 to the Willowcreek Maintenance Assessment District No. 98-03:

The work to be performed consists of furnishing all tools, equipment, facilities, labor, material, supplies and utilities necessary or desirable to mechanically sweep the roadways in order to remove sediment and other debris.

EXHIBIT B
ANNEXATION NO. 3 TO THE WILLOWCREEK MAINTENANCE ASSESSMENT, DISTRICT NO. 98-03
ASSESSMENT METHODOLOGY

Water quality issues for the Willowcreek area require that all new residential subdivisions join a maintenance district that would provide services which address and mitigate storm water environmental impacts caused by the subdivision. Since each residential lot within each subdivision in the Willowcreek area (see Exhibit B-1) will generate equivalent water quality impacts which must be addressed and receive the same benefit from the maintenance described on Exhibit A of this notice, each parcel will share equally in the total cost.

The boundary of the first subdivision map to be approved by City Council will be the boundary of the Willowcreek Maintenance Assessment District. When the remaining subdivisions submit for approval, they will be required to annex to this district.

The following action describes the proposed method of assessing the annual maintenance costs for the Willowcreek Maintenance Assessment District to each parcel in the district in relation to the amount of benefit received. Since each residential parcel receives the same benefit the costs for this district are assessed to each residential parcel within the district boundary.

The costs of maintenance will be spread equally to all residential parcels within the district.

The cost of all incidental expenses, including preparation of Engineer's Report, annual proceedings and district administration, will be spread equally to all residential parcels within the district.

NOTICE OF AWARD OF CONTRACT

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

NOTICE:

On May 21, 1996, the City Council of the City of Sacramento awarded a contract for improvements in the Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California, to the lowest responsible bidder, SIERRA NATIONAL CONSTRUCTION, at the prices bid under procedures specified by the Municipal Improvement Act of 1913 of the State of California.

DATED: May 21, 1996

**VALERIE A. BURROWES, City Clerk,
City of Sacramento, Sacramento County,
California**

APPROVED
BY THE CITY COUNCIL

MAY 21 1996

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 96-219

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION AUTHORIZING CHANGE ORDERS

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The City Council of the City of Sacramento resolves:

The City Council hereby authorizes the Director of Public Works of the City of Sacramento to issue change orders for the work in Willowcreek Assessment District No. 94-03, under the following conditions:

1. To correct clerical and technical errors in the plans and specifications.
2. To modify the design of the improvement to accord with better engineering practice or to achieve economy of construction.
3. To adjust the design of the improvement to utility locations, soil conditions, or other conditions unknown or uncertain when plans were drawn.

Cost increases in change orders issued under this authority shall not aggregate more than the amount set aside for construction contingencies in the cost estimate approved by the City Council.

* * *

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 21st day of May, 1996.

Mayor

ATTEST:

City Clerk

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

APPROVED
BY THE CITY COUNCIL

MAY 21 1996

OFFICE OF THE
CITY CLERK

RESOLUTION NO.

96-220

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION RESCINDING RESOLUTION NO. 95-221
RESOLUTION APPROVING PAYING AGENT/REGISTRAR AGREEMENT
WITH BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION
AND APPROVING PAYING AGENT/REGISTRAR AGREEMENT WITH
FIRST TRUST, N.A.**

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The City Council of the City of Sacramento resolves:

As a part of the proceedings for improvements in Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California, this City Council approved Resolution No. 95-221, Resolution Approving Paying Agent/Registrar Agreement with Bank of America National Trust and Savings Association, on May 9, 1995. Since then, Bank of America National Trust and Savings Association sold its Corporate Services Agency Division to First Trust, N.A.. Therefore, said resolution is hereby rescinded.

This City Council now approves that certain agreement between First Trust, N.A. and the City of Sacramento, dated May 21, 1996, and attached to this resolution.

The City Treasurer of the City of Sacramento is authorized to sign the agreement and the City Clerk is authorized to attest its execution.

* * *

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 21st day of May, 1996.

ATTEST:

Mayor

City Clerk

FOR CITY CLERK USE ONLY

RESOLUTION NO.

PAYING AGENT/REGISTRAR AGREEMENT
(TO BE PROVIDED BY FIRST TRUST, N.A.)

AMENDED
RESOLUTION NO. 96-221

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAY 21, 1996

**RESOLUTION AMENDING RESOLUTION NO. 95-222
RESOLUTION AUTHORIZING ISSUANCE OF BONDS**

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The City Council of the City of Sacramento resolves:

With respect to Resolution No. 95-222, Resolution Authorizing Issuance of Bonds for Willowcreek Assessment District No. 94-03, adopted by the City Council on May 9, 1995, the City Council hereby amends said resolution in its entirety to read as follows:

Section 1. RECITALS. On December 13, 1994, the City Council of the City of Sacramento adopted its resolution of intention to order improvements in Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California, under the provisions of the Municipal Improvement Act of 1913 (the "Act"), as amended. Proceedings taken under the Act led to the levy of a special assessment by the City Council against parcels of land within the assessment district in the total amount of \$1,505,810.63. These assessments were recorded in the office of the County Recorder of the County of Sacramento, and thereupon became a lien on each parcel assessed. The period within which parcel owners might pay their assessments in cash without interest expired on April 17, 1995.

Section 2. ISSUANCE OF BONDS. The City Council hereby authorizes the issuance of improvement bonds under the provisions of the Improvement Bond Act of 1915 to represent unpaid assessments in the amount of \$1,412,589.69. Each bond shall be designated, "Limited Obligation Improvement Bond, City of Sacramento, Willowcreek Assessment District No. 94-03." Bonds shall be dated approximately the date of delivery and issued in denominations of \$5000 or integral multiples thereof, except for Bond No. 1, which shall be an odd amount. The bonds shall be dated and shall mature in principal amounts and at interest rates as set forth in the bond purchase contract.

Section 3. APPOINTMENT OF PAYING AGENT, REGISTRAR AND TRANSFER AGENT. The City Council hereby appoints First Trust, N.A. (the "Bank") as paying agent, registrar and transfer agent for the bonds in accordance with an agreement between the City of Sacramento and the Bank.

FOR CITY CLERK USE ONLY

RESOLUTION NO. 96-221

Section 4. FORM AND EXECUTION. Bonds shall be issued as fully registered bonds substantially in the form set forth as Exhibit A to this resolution. The bonds shall be signed by the City Treasurer and the City Clerk and the seal of the City shall be affixed. Both signatures and seal may be reproduced on the bonds by facsimile, but upon its registration or reregistration each bond shall be authenticated by the manual signature of the Bank.

The Bank shall assign to each bond authenticated and registered by it a distinctive letter, or number, or letter and number, and shall maintain a record thereof which shall be available to the City for inspection.

Section 5. ESTABLISHMENT OF SPECIAL FUNDS. For administering the proceeds of the sale of bonds and payment of interest and principal on the bonds, there are hereby established five funds to be known as the improvement fund, the redemption fund, the special reserve fund, the investment earnings fund and the arbitrage rebate fund, respectively, for Willowcreek Assessment District No. 94-03.

Section 5.1. IMPROVEMENT FUND. Except as provided in Section 5.3, proceeds of sale of the bonds, together with all amounts paid on the assessments before bond issuance, shall be deposited in the improvement fund to be maintained by the City Treasurer. Disbursements from the improvement fund shall be made by the City Treasurer in accordance with the budget of estimated costs and expenses set forth in the amended engineer's report heretofore approved by the City Council, which report and budget are subject to modification by the City Council from time to time as prescribed by the Act.

Section 5.2. REDEMPTION FUND. The redemption fund shall be maintained by the City Treasurer. All payments of principal and interest installments on the assessments, together with penalties, if any, shall be deposited in the redemption fund, which shall be a trust fund for the benefit of the bondholders. Payment of the bonds at maturity, or at redemption before maturity, and all interest on the bonds shall be made from the redemption fund.

Section 5.3. SPECIAL RESERVE FUND. The special reserve fund shall be maintained by the City Treasurer. An amount equal to 9% of the proceeds of the sale of the bonds shall initially be deposited into the special reserve fund (the "Initial Reserve Amount") and accumulate investment earnings therein until the amount in the special reserve fund meets the "Reserve Requirement." An amount equal to the least of the following amounts shall constitute the "Reserve Requirement" for the bonds: a) ten percent of the proceeds of the Bonds; b) maximum annual debt service on the Bonds; or, c) 125% of the average annual debt service on the Bonds. The Reserve Requirement shall be reduced by any amounts transferred to the redemption fund pursuant to Section 8884 of

the Streets and Highways Code. The special reserve fund shall be administered as follows:

A. During the term of the bonds, the amount in the special reserve fund shall be available for transfer into the redemption fund in accordance with Section 8883 of the Streets and Highways Code. The amount so advanced shall be reimbursed to the special reserve fund from the proceeds of redemption or sale of the parcel for which payment of delinquent assessment installments was made from the special reserve fund.

B. If any assessment is prepaid before final maturity of the bonds, the amount of principal which the assessee is required to prepay shall be reduced by an amount which is in the same ratio to the original amount of the special reserve fund as the original amount of the prepaid assessment bears to the total amount of unpaid assessments originally securing the Bonds. This reduction in the amount of principal prepaid shall be balanced by a transfer from the special reserve fund to the redemption fund in the same amount.

C. The amount maintained in the special reserve fund will never exceed the Reserve Requirement. Proceeds of investment of the special reserve fund shall be deposited in the investment earnings fund.

D. When the amount in the special reserve fund equals or exceeds the amount required to retire the remaining unmatured bonds (whether by advance retirement or otherwise), the amount of the special reserve fund shall be transferred to the redemption fund, and the remaining installments of principal and interest not yet due from assessed property owners shall be cancelled without payment.

Section 5.4. INVESTMENT EARNINGS FUND. Proceeds of the investment of amounts in the improvement fund and the special reserve fund will be deposited in the investment earnings fund. As of September 2 of each year during the term of the bonds, the City Treasurer shall determine whether any portion of investment earnings must be rebated to the United States pursuant to Section 148 of the United States Internal Revenue Code and regulations adopted thereunder. Any amounts required to be rebated will be transferred to the arbitrage rebate fund, and the balance will be transferred as follows:

(a) To the extent that the balance in the special reserve fund is less than the Reserve Requirement, a transfer will be made from the investment earnings fund to the special reserve fund.

(b) The remaining balance in the investment earnings fund, if any, will be transferred to the improvement fund until the improvement is completed and the improvement fund is closed; thereafter the balance in the investment earnings fund will be

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 96-221

DATE ADOPTED: May 21, 1996

transferred to the redemption fund to be used, in the discretion of the City Treasurer, as a credit upon the annual installments of assessment or for the advance retirement of bonds.

The City Treasurer is authorized to retain independent attorneys, accountants and other consultants to assist in complying with Federal requirements.

Section 5.5. ARBITRAGE REBATE FUND. Amounts in the arbitrage rebate fund shall be invested in the same manner as amounts in the other funds and shall be held in trust for rebate to the United States at the times required by Section 148 of the United States Internal Revenue Code and regulations adopted thereunder.

Section 5.6 RETURN OF UNCLAIMED FUNDS. Other provisions of this resolution to the contrary notwithstanding, the Bank shall return to the City any funds held by it hereunder not later than twelve (12) months before those funds would escheat to the State of California under any law now or hereafter enacted.

Section 6. ISSUANCE AS BOOK-ENTRY BONDS. The bonds shall be issued initially as book-entry bonds and shall be registered to Cede & Co.(the "Nominee") as nominee of the Depository Trust Company of New York, New York (the "Depository").

Section 6.1. BOOK-ENTRY BONDS; LIMITED OBLIGATION OF CITY. The bonds of each maturity shall be authenticated and delivered in the form of a separate single fully registered bond (which may be typewritten). The ownership of the bonds shall be registered in the bond register in the name of the Nominee as nominee of the Depository.

With respect to bonds registered in the name of the Nominee, the City and the Bank shall have no responsibility or obligation to any participant in the Depository or to any person on whose behalf a participant holds an interest in the bonds. Without limiting the generality of the foregoing sentence, the City and the Bank specifically shall have no responsibility for (i) the accuracy of records of the Depository, the Nominee, or any participant concerning ownership interest in the bonds, (ii) the delivery to any participant or other person, except as shown in the bond register, of any notice concerning the bonds, including any notice of prepayment, (iii) the selection by the Depository and its participants of the beneficial interests in the bonds to be prepaid if any bonds are prepaid in part, or (iv) the payment to any participant or other person, other than a Nominee as shown in the bond register, of any amount with respect to principal of or interest on the bonds. The City and the Bank may treat and consider the person in whose name each Bond is registered in the bond register as the absolute owner of that Bond for the purpose of payment of principal of or interest on the Bond, for the purpose of giving notice of prepayment and other matters concerning the Bond, for the purpose of registering transfers of the Bond, and for every other purpose.

The Bank shall pay all principal of or interest on the bonds only to or upon the order of the respective owners, as shown in the bond register, or their respective attorneys duly authorized in writing, and all such payments shall fully satisfy and discharge the City's obligations for payment of the principal of or interest on the bonds to the extent of the payments. No person other than an owner, as shown in the bond register, shall receive a Bond evidencing the obligation of the City to make payments of principal or interest pursuant to this Resolution. Upon delivery by the Depository to the Nominee and the City and the Bank of written notice to the effect that the Depository has determined to substitute a new nominee in place of the Nominee, and subject to the provisions of Section 7 hereof with respect to record dates, the word Nominee in this Resolution shall refer to the new nominee of the Depository.

Section 6.2. REPRESENTATION LETTER. The City Treasurer or other authorized officer of the City is hereby authorized to execute, seal, countersign and deliver on behalf of the City to the Depository a letter (the "Representation Letter") from the City representing such matters as shall be necessary to qualify the bonds for the book-entry system. The execution and delivery of the Representation Letter shall not limit the provisions of Section 6.1 hereof or in any other way impose on the City or the Bank any obligation to persons having interests in the bonds other than the owners as shown on the bond register. The Bank shall take all actions required of the Bank to comply with the Representation Letter. The City Treasurer or other Authorized Officer of the City is hereby authorized to take any other actions, consistent with this Resolution, to qualify the bonds for the Depository's book-entry program.

Section 6.3. TRANSFERS OUTSIDE BOOK-ENTRY SYSTEM. By written request the City may remove the Depository and appoint a successor at any time and for any reason. If (i) the Depository resigns as securities depository for the bonds, or (ii) the City removes the Depository, then the City will discontinue the book-entry system with the Depository. If the City fails to identify another qualified securities depository to replace the Depository, the bonds shall no longer be restricted to registration in the name of the Nominee, but shall be registered in the names designated by owners transferring or exchanging the bonds. The City at City expense shall furnish a supply of bond forms.

Section 7. PAYMENT ON BONDS. The principal and interest on the bonds shall be payable at the office of First Trust, N.A., St. Paul/Minneapolis, Minnesota. Principal and interest shall be paid by check, by first-class mail, postage prepaid mailed to the registered owner of each bond at the owner's address appearing on the register maintained by the Bank on the 15th day of the month immediately preceding any payment date (the "Record Date").

Upon the payment and cancellation of any bond, the bond shall be destroyed and the Bank shall furnish the City a certificate of destruction.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 96-221

DATE ADOPTED: May 21, 1996

Section 7. ADVANCE RETIREMENT OF BONDS. Any Bond or any portion thereof in the amount of \$5,000 or any integral multiple thereof, may be redeemed and paid in advance of maturity upon the second day of March or September in any year by giving at least 30 days' notice by registered or certified mail or by personal service to the registered owner thereof at such owner's address as it appears on the registration books of the Bank and by paying principal and accrued interest together with a premium equal to three percentum of the principal.

Section 8. REREGISTRATION. Any bond may be registered to a new owner by completing the assignment certificate on the reverse of the bond and delivering the bond to the Bank. Upon reregistration, any bond may be replaced by one or more bonds of the same maturity and aggregate amount in denominations of \$5000 or any integral multiple thereof.

Section 9. COVENANTS. In the event of a default in the payment of any bond or any installment of interest thereon, bondholders shall have the remedies set forth in the Improvement Bond Act of 1915. In addition, the City Council makes the following covenants, which shall constitute a contract with the bondholders:

Section 9.1. FORECLOSURE OF LIENS. Not later than October 1 in any year, the City shall file an action in the Superior Court to foreclose the lien of each delinquent assessment if the sum of uncured assessment delinquencies for the preceding fiscal year exceeds five percent (5%) of the assessment installments posted to the tax roll for that fiscal year, and if the amount of the special reserve fund is less than the Reserve Requirement.

Section 9.2. ARBITRAGE. During the term of the bonds, the City will make no use of bond proceeds which, if such use had been reasonably expected at the date the bonds are issued, could have caused the bonds to be "arbitrage bonds" within the meaning of Section 148 of the United States Internal Revenue Code of 1986, and regulations of the Internal Revenue Service adopted thereunder, and further shall rebate to the United States any amounts required to be rebated on account of arbitrage in accordance with the provisions of that Code and those regulations.

Section 9.3. MAINTENANCE OF TAX EXEMPTION. The City will take all reasonable actions required to maintain the status of interest on the bonds as excludable from gross income for federal income tax purposes and as exempt from the State of California personal income taxes.

* * *

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 96-221

DATE ADOPTED: May 21, 1996

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 21 day of May, 1996.

Mayor

ATTEST:

City Clerk

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

in St. Paul/Minneapolis, Minnesota, of the matured bonds or the bonds called for redemption prior to maturity. As to any bondholder other than DTC or any successor depository, in the event of termination of the book entry system, the principal and redemption premiums, if any, are payable at the principal corporate trust office of First Trust, N.A., or its successor, as Paying Agent, Registrar and Transfer Agent, in St. Paul/Minneapolis, Minnesota, and the interest hereon is payable by check or draft mailed to the registered owner hereof at the owner's address as it appears on the registration books of the Bank, or at such address as may have been filed with the Bank for that purpose, as of the fifteenth day of the month immediately preceding each interest payment date.

This Bond will continue to bear interest after maturity at the rate above stated, provided, it is presented at maturity and payment thereof is refused upon the sole ground that there are not sufficient moneys in said redemption fund with which to pay same. If it is not presented at maturity, interest thereon will run until maturity.

This Bond shall not be entitled to any benefit under the Act or the Resolution Authorizing Issuance of Bonds, as amended (the "Resolution of Issuance"), or become valid or obligatory for any purpose, until the certificate of authentication and registration hereon endorsed shall have been dated and signed by the Bank.

This Bond is one of several annual series of bonds of like date, tenor and effect, but differing in amounts, maturities and interest rates, issued by the City of Sacramento under the Act and the Resolution of Issuance, for the purpose of providing means for paying for the improvements described in said proceedings, and is secured by the moneys in said redemption fund and by the unpaid portion of said assessments made for the payment of said improvements, and, including principal and interest, is payable exclusively out of said fund.

This Bond is transferable by the registered owner hereof, in person or by the owner's attorney duly authorized in writing, at said office of the Bank, subject to the terms and conditions provided in the Resolution of Issuance, including the payment of certain charges, if any, upon surrender and cancellation of this Bond. Upon such transfer, a new registered Bond or Bonds, of any authorized denomination or denominations, of the same maturity, for the same aggregate principal amount, will be issued to the transferee in exchange therefor.

Bonds shall be registered only in the name of an individual (including joint owners), a corporation, a partnership or a trust.

Neither the City nor the Bank shall be required to make such exchange or registration of transfer of bonds during the period commencing with the fifteenth day of the month preceding any interest payment date and ending on said interest payment date.

The City will not obligate itself to advance available funds from the City treasury to cure any deficiency which may occur in the bond redemption fund. A determination not to obligate itself shall not prevent the City from, in its sole discretion, so advancing funds.

The City and the Bank may treat the registered owner hereof as the absolute owner for all purposes, and the City and the Bank shall not be affected by any notice to the contrary.

This Bond or any portion of it in the amount of \$5,000 or any integral multiple thereof, may be redeemed and paid in advance of maturity upon the second day of March or September in any year by giving at least 30 days' notice by registered or certified mail or by personal service to the registered owner hereof at such owner's address as it appears on the registration books of the Bank and by paying principal and accrued interest together with a premium equal to three percentum of the principal.

The term bond maturing in the year _____ is subject to mandatory advance redemption, by lot, without premium, on September 2 in accordance with the following schedule:

<u>Year</u>	<u>Amount to be Redeemed</u>
-------------	------------------------------

IN WITNESS WHEREOF, said City of Sacramento has caused this Bond to be signed in facsimile by the City Treasurer of said City and by its Clerk, and has caused its corporate seal to be reproduced in facsimile hereon all as of the _____ day of _____, 1996.

CITY OF SACRAMENTO

Clerk

City Treasurer

(SEAL)

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This is one of the Bonds described in the within mentioned Resolution of Issuance, which has been authenticated and registered on

FIRST TRUST, N.A.,
as Paying Agent, Registrar and Transfer Agent

By _____
Authorized Signatory

=====

ASSIGNMENT

For value received _____
the undersigned do(es) hereby sell, assign and transfer unto

the within registered Bond and hereby irrevocably constitute(s) and appoint(s)
_____ to transfer the same on the Bond register of the Bank with
full power of substitution in the premises.

Dated: _____

Signature: _____

Note: The signature(s) on this Assignment must correspond with the name(s) as written on the face of the within registered Bond in every particular without alteration or enlargement or any change whatsoever.

Signature Guaranteed: _____

Note: This signature must be guaranteed by an eligible guarantor institution.

=====

I hereby certify that the following is a correct copy of the signed legal opinion of STURGIS, NESS, BRUNSELL & ASSAF a professional corporation, Emeryville, California, on file in my office.

City Clerk

APPROVED
BY THE CITY COUNCIL

MAY 21 1996

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 96-222

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION NO. _____

RESOLUTION APPROVING PRELIMINARY OFFICIAL STATEMENT

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The City Council of the City of Sacramento resolves:

As a part of the proceedings for the sale of improvement bonds in Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California, this Council hereby approves the Preliminary Official Statement dated _____, and a final Official Statement derived substantially therefrom. Distribution of the Preliminary Official Statement and the final Official Statement is hereby authorized.

This Official Statement is final except for certain information which will not be known until the time of sale and is therefore "deemed final" within the meaning of Rule 15c2-12 of the Securities and Exchange Commission.

The City Treasurer is authorized to sign the Preliminary Official Statement and the final Official Statement.

*

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*

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 21st day of May, 1996.

Mayor

ATTEST:

City Clerk

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

PRELIMINARY OFFICIAL STATEMENT

**(TO BE PROVIDED BY
STONE & YOUNGBERG PRIOR TO
CITY COUNCIL MEETING)**

AMENDED ENGINEER'S REPORT

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The undersigned respectfully submits the enclosed amended report as directed by the City Council.

DATED: March 14, 1995

MICHAEL KASHIWAGI,
Deputy Director of Public Works,
Engineer of Work

By Paul J. Lee

I HEREBY CERTIFY that the enclosed Amended Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was filed with me on the 14th day of March, 1995.

VALERIE A. BURROWES, City Clerk,
City of Sacramento, Sacramento County,
California

By Virginia K. Kenny, ASST. CLERK

I HEREBY CERTIFY that the enclosed Amended Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Sacramento, Sacramento County, California, on the 14th day of March, 1995.

VALERIE A. BURROWES, City Clerk,
City of Sacramento, Sacramento County,
California

By Virginia K. Kenny, ASST. CLERK

I HEREBY CERTIFY that the enclosed Amended Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was recorded in my office on the 17th day of March, 1995.

MICHAEL KASHIWAGI,
Superintendent of Streets,
Engineer of Work

By Paul J. Lee

AMENDED ENGINEER'S REPORT
WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The Deputy Director of Public Works, Engineer of Work for Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California makes this amended report, as directed by the City Council, pursuant to Section 10204 of the Streets and Highways Code (Municipal Improvement Act of 1913).

The improvements which are the subject of this amended report are briefly described as follows:

- A. Preparation of plans and specifications for a future pumping plant and construction of drainage outfall pipelines for the future drainage pumping plant and appurtenances thereto, levee excavation and levee embankment, concrete outfall structure, rip rap, concrete stairway, concrete walk, pavement and pavement replacement, metal beam guard rail, chain link fence, concrete drainage ditch, traffic control, landscaping and revegetation within easements to be acquired on properties adjacent to the intersection of Garden Highway and El Centro Road. The outfall pipelines will be constructed from the future pumping plant to the Sacramento River in easements to be acquired lying within County Assessor parcel numbers, 274-0022-006, 274-0021-012 and 274-0021-005.
- B. The acquisition of all lands, easements, facilities and rights and the performing of all work auxiliary to any of the above and necessary to complete the same.

Bonds representing unpaid assessments, and bearing interest at a rate not to exceed twelve percent (12%) per annum, shall be issued in the manner provided by the Improvement Bond Act of 1915 (Division 10, Streets and Highways Code), and the last installment of the bonds shall mature not to exceed twenty-four (24) years from the second day of September next succeeding twelve (12) months from their date.

This amended report includes the following attached exhibits:

- EXHIBIT A - Plans and specifications for improvements to be constructed. Plans and specifications are a part of this amended report whether or not separately bound.
- EXHIBIT B - An estimate of the cost of the improvements.
- EXHIBIT C - An assessment roll, showing the amount proposed to be specially assessed against each parcel of real property within this assessment district. Each parcel is described by County Assessor's parcel number or other designation, and each parcel is also assigned a separate "assessment number" for the purposes of this proceeding.
- EXHIBIT D - A statement of the method by which the undersigned determined the amount proposed to be assessed against each parcel, based on benefits to be derived by each parcel, respectively, from the improvements.
- EXHIBIT E - A list of the names and addresses of the owners of real property within this assessment district, as shown on the last equalized assessment roll for taxes, or as known to the Clerk. The list is keyed to Exhibit C by assessment number.
- EXHIBIT F - A diagram showing all of the parcels of real property within this assessment district. The diagram is keyed to Exhibit C by assessment number.
- EXHIBIT G - A general description of the rights-of-way to be acquired.
- EXHIBIT H - Proposed maximum annual assessment per parcel for current costs and expenses.

Respectfully submitted,

MICHAEL KASHIWAGI,
Deputy Director of Public Works,
Engineer of Work

EXHIBIT A

PLANS AND SPECIFICATIONS

Plans and specifications are a part of this report whether or not separately bound.

EXHIBIT B
WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03
CONTRACT BID
JANUARY 18, 1995

	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Preconstruction Photographs	1	Job	Lump Sum	\$500.00
2	Clearing and Grubbing	1	Job	Lump Sum	\$40,000.00
3	Levee Stripping and Levee Keyway Excavation	1	Job	Lump Sum	\$10,000.00
4	Unsuitable Keyway Excavation	100	C.Y	\$5.00	\$500.00
5	Compacted Levee Embankment	1	Job	Lump Sum	\$3,000.00
6	Traffic Control Plan, Public Safety and Convenience	1	Job	Lump Sum	\$10,000.00
7	Remove and Replace Asphaltic Concrete Pavement	1,500	S.F.	\$4.00	\$6,000.00
8	3" PCC and 12" AB Paving	850	S.F.	\$8.00	\$6,800.00
9	Outfall Structure, Portland Cement Concrete	1	Job	Lump Sum	\$79,200.00
10	Portland Cement Concrete (PCC) Walkway	450	S.F.	\$5.00	\$2,250.00
11	Chain Link Fence, 6' High	100	L.F.	\$20.00	\$2,000.00
12	Metal Beam Guard Rail	150	L.F.	\$15.00	\$2,250.00
13	Concrete Stairs with Metal Handrails	1	Job	Lump Sum	\$5,000.00
14	Portland Cement Concrete Ditch	1	Job	Lump Sum	\$10,000.00
15	12" Diameter Discharge Pipe and Appurtenances	1	Job	Lump Sum	\$5,000.00
16	42" Diameter Discharge Pipe and Appurtenances	1	Job	Lump Sum	\$145,000.00
17	54" Diameter Discharge Pipe and Appurtenances	1	Job	Lump Sum	\$170,000.00
18	Rip Rap	1	Job	Lump Sum	\$40,000.00
19	Seeding	1	Job	Lump Sum	\$2,000.00
20	Vegetation, Transplanting and Replacement	1	Job	Lump Sum	\$500.00
21	Sprinkler System	1	Job	Lump Sum	\$1,000.00
22	Ninety (90) Day Maintenance	1	Job	Lump Sum	\$2,000.00
	TOTAL				\$543,000.00

EXHIBIT B

COST ESTIMATE

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

I.	CONSTRUCTION COST	\$ 543,000.00	
	A. Right-of-Way	110,000.00	
	B. Contingency (15%)	<u>80,000.00</u>	
	SUBTOTAL		\$ 733,000.00
II.	INCIDENTAL COSTS		
	A. Design Engineering (Spink)	\$ 66,500.00	
	B. Assessment Diagram (Spink)	4,200.00	
	C. Pump Station Design (Spink)	360,000.00	
	D. Engineering Admin & Staking (City)	80,000.00	
	E. Special Districts	40,000.00	
	F. Official Statement Printing & Appraisal	30,000.00	
	G. Right-of-Way Admin. (City Attorney R.E.)	37,000.00	
	H. Bond Administration & Printing	10,000.00	
	I. Bond Counsel	22,587.16	
	J. SDIRS	18,058.11	
	K. Miscellaneous Expenses	500.00	
	L. CDAC	<u>150.58</u>	
	SUBTOTAL		\$ 668,995.85
III.	NATOMAS SCHOOL DISTRICT CONTRIBUTION		(\$ 76,882.50)
IV.	RESERVE ACCOUNT (9%)		\$ 135,522.96
V.	BOND DISCOUNT (3%)		<u>\$ 45,174.32</u>
	TOTAL AMOUNT TO BOND		\$1,505,810.63

EXHIBIT C

01/20/95

Page 1

ASSESSMENT ROLL

CITY OF SACRAMENTO
Willowcreek Assessment District No. 94-03

Assessment Number	Assessment Amount	Parcel Description
----------------------	----------------------	-----------------------

1	\$ 6,304.80	225-0220-037
2	114,837.37	225-0220-072
3	59,895.57	225-0220-071
4	86,465.78	225-0220-006
5	8,556.51	225-0220-000

01/20/95

Page 2

ASSESSMENT ROLL

CITY OF SACRAMENTO

Willowcreek Assessment District No. 94-03

Assessment
Number

Assessment
Amount

Parcel
Description

EXHIBIT D

METHOD OF SPREAD
WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The improvements described in this report will benefit all parcels of land within the proposed district, therefore, the cost will be spread to each benefitted parcel in proportion to its gross area to the total gross area included within the assessment district.

Properties owned by a public agency or utility within the assessment district will have no cost allocated to their properties, even though these properties are included within the district boundaries. These properties benefitting acreage will be considered as being zero for the allocating of the costs.

Parcels 21, 23, 29, 33 and 40 are slivers of land that are currently undevelopable and will be part of a future roadway easement and, therefore, will also be considered as being zero for this allocating of the costs.

Parcel 25 is a sliver of land that is currently undevelopable but will be able to develop when it is combined with the adjacent (same ownership) parcel 24. For the purposes of assessment, costs associated with parcels 24 and 25 will be combined and placed on developable parcel 24.

EXHIBIT E

Page 1

PROPERTY OWNERS' LIST
CITY OF SACRAMENTO

Willowcreek Assessment District No. 94-03

ASSESSMENT NUMBER(S)

NAME AND ADDRESS OF OWNER

1 to 5

Richard T. Peery & John Arrillaga
2560 Mission College Blvd.
Santa Clara, CA 95054

6

Richard Peery
2560 Mission College Blvd.

EXHIBIT E

Page 2

PROPERTY OWNERS' LIST
CITY OF SACRAMENTO

Willowcreek Assessment District No. 94-03

ASSESSMENT NUMBER(S)

NAME AND ADDRESS OF OWNER

22

Manuel Barandas
4140 Garden Highway
Sacramento, CA 95834

EXHIBIT E

Page 3

PROPERTY OWNERS' LIST
CITY OF SACRAMENTO

Willowcreek Assessment District No. 94-03

ASSESSMENT NUMBER(S)

NAME AND ADDRESS OF OWNER

41

Sandi Sue Isaac
2072 Garden Highway
Sacramento, CA 95833

ASSESSMENT DIAGRAM
 WILLOWCREEK
 ASSESSMENT DISTRICT NO. 94-03
 (PUMP OUTFALL STRUCTURE)
 CITY OF SACRAMENTO STATE OF CALIFORNIA
 SCALE: 1"=400' 1994
The Spink Corporation
 Sheet 1 of 2 Sheets

CLERK'S MAP FILING STATEMENT

Filed in the office of the City Clerk of the City of Sacramento, County of Sacramento, State of California, this ___ day of _____, 19__.

Valerie Burrasas, City Clerk
 City of Sacramento

SUPERINTENDENT OF STREETS RECORDING STATEMENT

Recorded in the office of the Superintendent of Streets of the City of Sacramento, County of Sacramento, State of California, this ___ day of _____, 19__.

Superintendent of Streets
 City of Sacramento

CLERK'S CERTIFICATE

An assessment was levied by the City Council of the City of Sacramento, County of Sacramento, State of California, on the lots, piece and parcels of land shown on this Assessment Diagram. Said assessment was levied on the ___ day of _____, 19__. Said Assessment Diagram and the Assessment Roll were recorded in the office of the Superintendent of Streets of the City of Sacramento of the ___ day of _____, 19__. Reference is made to the Assessment Roll recorded in the office of the Superintendent of Streets for the exact amount of each assessment levied against each parcel of land shown on this Assessment Diagram.

Valerie Burrasas, City Clerk
 City of Sacramento

COUNTY RECORDER'S FILING STATEMENT

Filed this ___ day of _____, 19__ at the hour of ___ o'clock ___ P. M. in Book of Maps of Assessment Districts and Community Facilities Districts at Page ___ in the Office of the County Recorder of the County of Sacramento, State of California.

County Recorder of the
 County of Sacramento, California

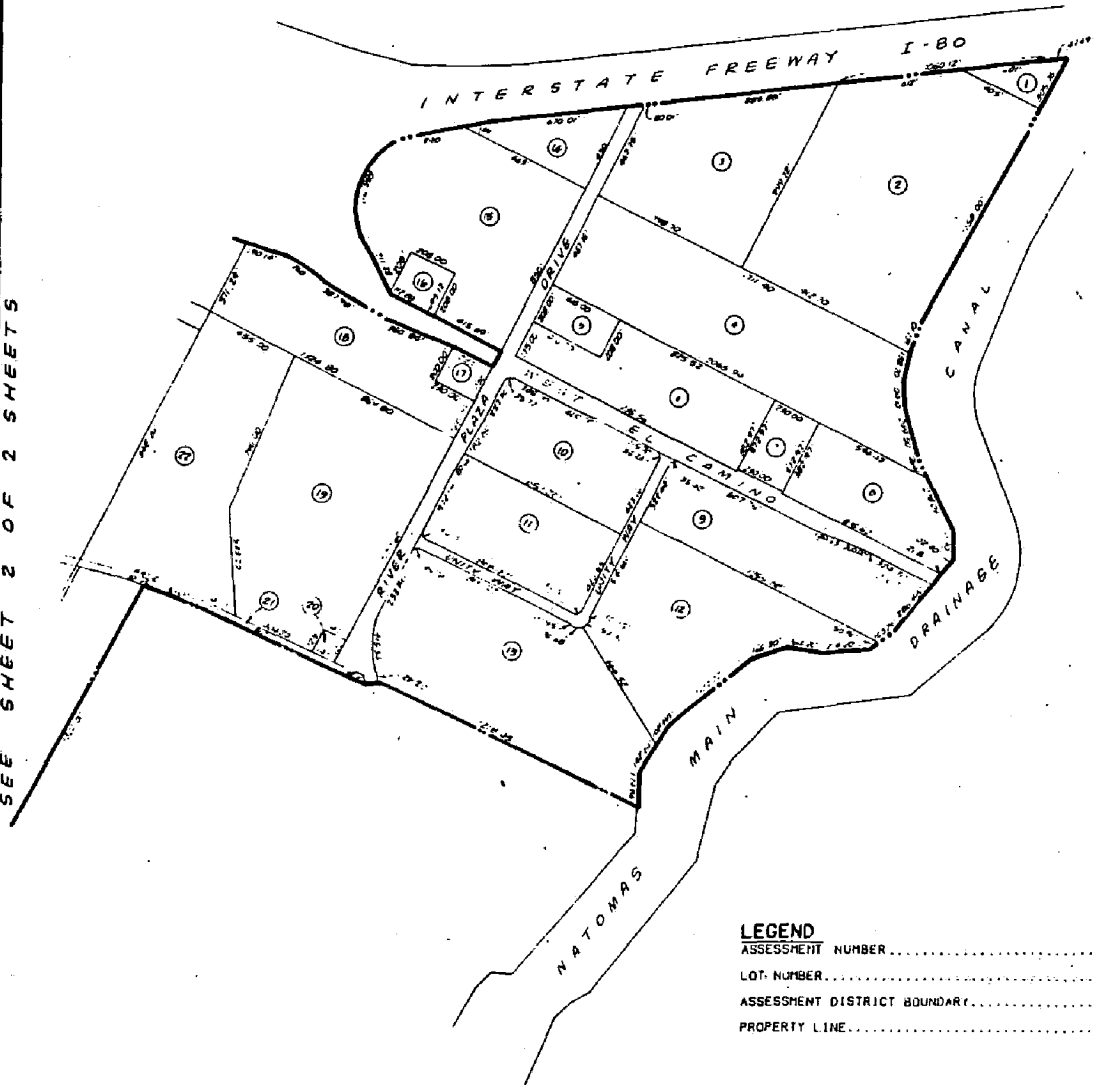
By _____

LEGEND

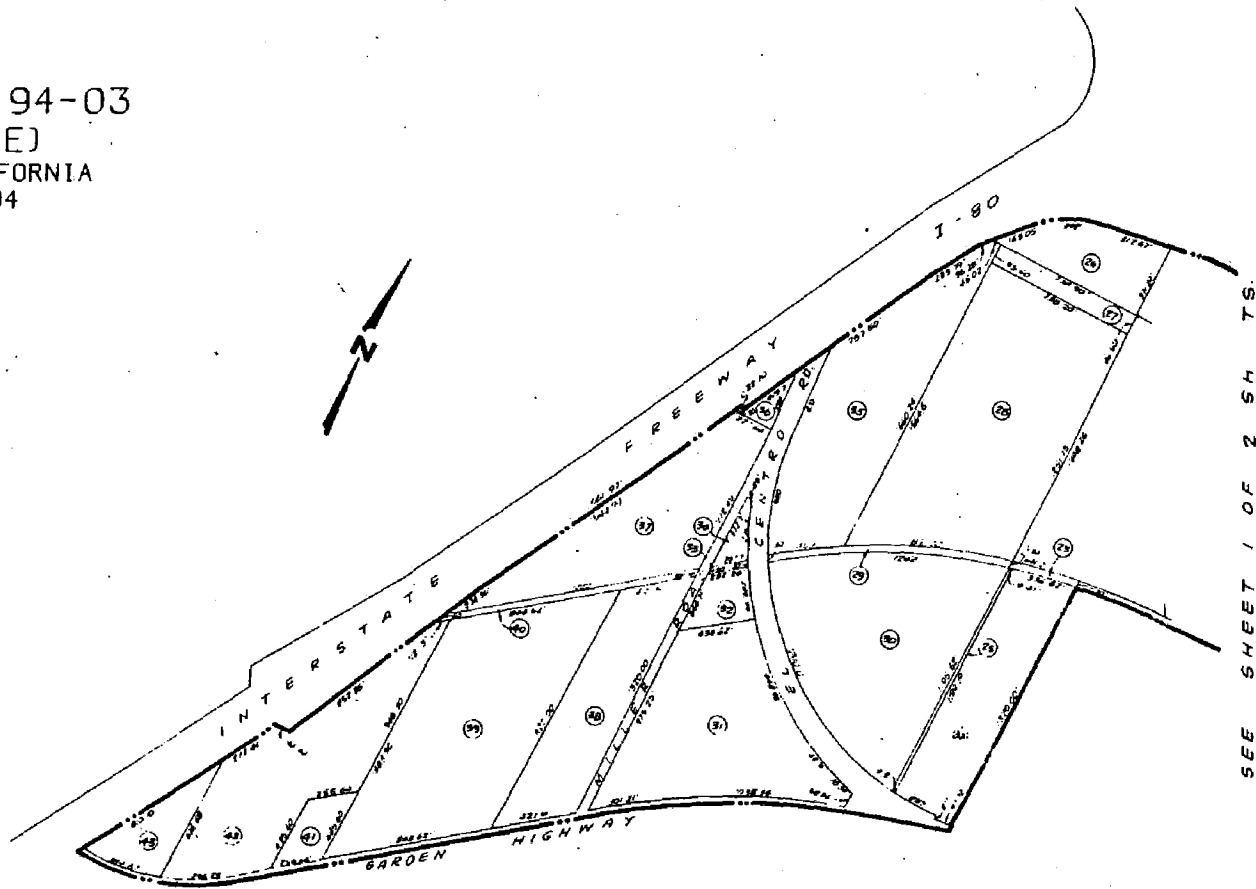
- ASSESSMENT NUMBER ②
- LOT NUMBER 12
- ASSESSMENT DISTRICT BOUNDARY
- PROPERTY LINE

SEE SHEET 2 OF 2 SHEETS

EXHIBIT F



ASSESSMENT DIAGRAM
 WILLOWCREEK
 ASSESSMENT DISTRICT NO. 94-03
 (PUMP OUTFALL STRUCTURE)
 CITY OF SACRAMENTO STATE OF CALIFORNIA
 SCALE: 1"=400' , 1994
The Spink Corporation
 Sheet 2 of 2 Sheets



SEE SHEET 1 OF 2 SH. TS.

EXHIBIT G

RIGHTS-OF-WAY TO BE ACQUIRED

**DRAINAGE EASEMENT
Pipeline**

JEAN E. DUVAL does hereby grant to the City of Sacramento, a municipal corporation, for the purpose of digging, constructing, reconstructing, repairing and forever maintaining thereon, a drainage pipeline of such dimensions as Grantee shall deem necessary for drainage purposes together with appurtenant structures thereof, a drainage easement over that certain real property in the City of Sacramento, County of Sacramento, State of California, bounded and described as follows, to-wit:

All that portion of Lot 6, as said lot is shown on "Natomas Riverside Subdivision No. 1", the official plat of which is filed in the Office of the Recorder of Sacramento County in Book 15 of Maps, Map No. 26, described as follows:

Beginning at the Northeast corner of Parcel 2, as said parcel is conveyed to JEAN E. DUVAL in that certain Quitclaim Deed recorded in the office of said Recorder in Book 690107 of Official Records, at Page 583; thence from said point of beginning along the Easterly boundary of said Parcel 2 South 00°17'33" East 72.76 feet; thence curving to the left on an arc of 2844.93 feet radius, from a radial bearing of North 16°20'09" West, said arc being subtended by a chord bearing South 73°33'48" West 10.00 feet; thence South 20°19'31" West 108.51 feet; thence South 14°57'26" East 77.48 feet; thence North 75°02'34" East 15.00 feet; thence South 14°57'26" East 18.32 feet to the Southeasterly boundary of said Parcel 2; thence along said Southeasterly boundary South 71°26'54" West 80.16 feet; thence North 14°57'26" West 23.34 feet; thence North 75°02'34" East 15.00 feet; thence North 14°57'26" West 82.52 feet; thence North 03°27'26" West 153.28 feet to the Northwesterly boundary of said Parcel 2; thence along said Northwesterly boundary curving to the right on an arc of 2914.93 feet radius, from a radial bearing of North 18°06'54" West, said arc being subtended by a chord bearing North 72°58'20" East 110.62 feet to the point of beginning.

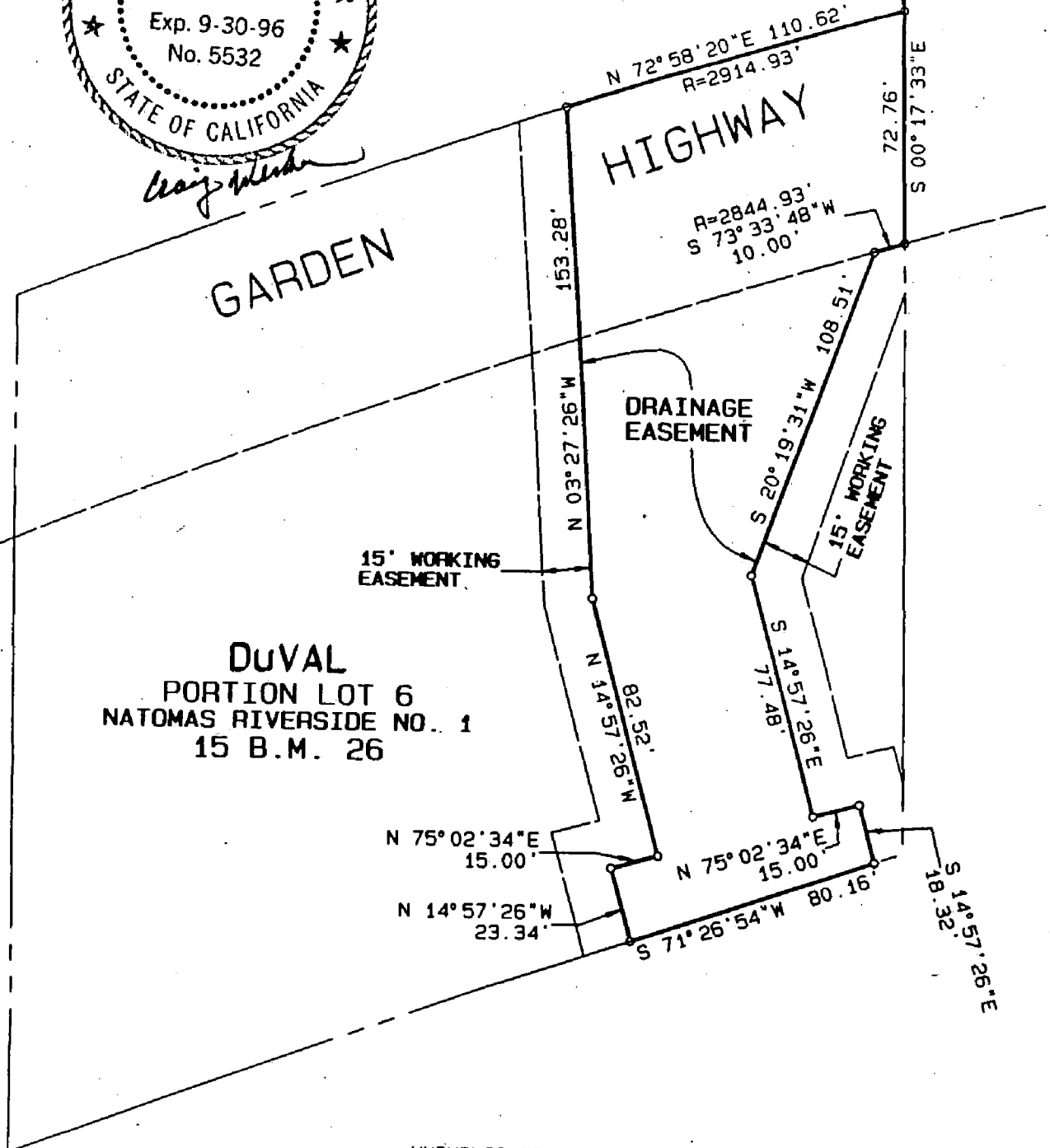
TOGETHER WITH two temporary working easements 15.00 feet in width, one lying contiguous with and Westerly and one lying contiguous with and Easterly of the hereinabove described Drainage Easement.



A. J. Leach



P.O.B.
NORTHEAST CORNER
OF PARCEL 2 PER
690107 O.R. 583



UNPUBLISHED WORK
© 1994
THE SPINK CORPORATION

781718/2479

TITLE: DRAINAGE EASEMENT
PORTION OF LOT 6
15 B.M. 26

CLIENT: CITY OF SACRAMENTO

DATE: 8/94 JOB NO.: 7817-018
DRAWN BY: J.K. CHECKED BY: C.W.

REVISION

The Spink Corporation

2590 VENTURE OAKS WAY SACRAMENTO, CA 95833
PHONE: (916) 925-5550 FAX: (916) 921-9274

SCALE: 1"=50' DATE: K-17

EXHIBIT H

PROPOSED MAXIMUM ANNUAL ASSESSMENT PER PARCEL FOR
CURRENT COSTS AND EXPENSES

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

In the event that the amount provided for in these proceedings is insufficient to pay various costs and expenses incurred from time to time by the City and not otherwise reimbursed which result from the administration and collection of assessment installments or from the administration or registration of the associated 1915 Act bonds and the various funds and accounts pertaining thereto, this Council intends, pursuant to Section 8682.1 and subparagraph (f) of Section 10204 of the California Streets and Highways Code, to impose an annual assessment upon each of the several parcels of land in this assessment district to provide therefor. The maximum amount of such annual assessment to be levied upon each such parcel of land shall be the pro rata share of \$3,000 for the first year plus annual increases, if necessary, in an amount equal to the increase in the United States Department of Labor Consumer Price Index.

THE DAILY RECORDER

...Since 1911...

1115-H Street P.O. Box 1048
Sacramento, California 95812
Telephone (916) 444-2355
Fax (916) 444-0636

This space for filing stamp only

RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO
MAY 31 2 05 PM '96

SAC. CITY CLERK (SAC)
915 I St., Rm. 304/ V. HENRY
Sacramento CA 95814

DJC8914097

Proof of Publication

(2015.5 C.C.P.)

State of California)
County of Sacramento) ss

AD 8189

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of THE DAILY RECORDER, a daily newspaper published in the English language in the City of Sacramento, County of Sacramento, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of Sacramento, State of California, under date of May 2, 1913, Case No. 16,180. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

05/29/96

EXECUTED ON : 05/29/96
AT LOS ANGELES, CALIFORNIA

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

C. Ramirez
.....
Signature

NOTICE OF AWARD OF CONTRACT
WILLOWCREEK ASSESSMENT
DISTRICT NO. 94-03
NOTICE:
On May 21, 1996, the City Council of the City of Sacramento awarded a contract for improvements in the Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California, to the lowest responsible bidder, SIERRA NATIONAL CONSTRUCTION, at the prices bid under procedures specified by the Municipal Improvement Act of 1913 of the State of California.
Dated: May 21, 1996
VALERIE A. BURROWES, City Clerk,
City of Sacramento, Sacramento County, California
Ad No: 8189
SAC-DJC8914097/AD 8189
05/29



COUNTY OF SACRAMENTO

PUBLIC WORKS AGENCY

COUNTY ADMINISTRATION BUILDING
827 SEVENTH STREET, ROOM 304
SACRAMENTO, CA 95814

Phone: (916) 440-6581 Fax: (916) 440-7100

DOUGLAS M. FRALEIGH, Administrator
WARREN H. HARADA, Director
Public Works Administration
F.I. HODGKINS, Director
District Engineering
H.D. KÉRTON, Director
Solid Waste Management
TERRY T. TICE, Director
County Engineering

APPROVED November 29, 1994
BY RESOLUTION # *94-1660* "REVISED"
BOARD OF SUPERVISORS

Honorable Board of Supervisors
County of Sacramento
State of California

DEC 13 1994

Cindy Holloway
Clerk of the Board

**SUBJECT: REQUEST FOR JURISDICTION BY THE CITY OF SACRAMENTO
PERTAINING TO ITS WILLOWCREEK ASSESSMENT DISTRICT
NO. 94-03**

Members in Session:

RECOMMENDATION:

City staff has requested that I ask your Board to consider adopting the attached Resolution Consenting to the Formation of the Willowcreek Assessment District No. 94-03.

DISCUSSION:

The Municipal Improvement Act of 1913 requires a city to obtain the County's consent to jurisdiction for the formation of an assessment district if a portion of the proposed assessment district lies outside the city limits and within the unincorporated area of the County or if work is to be done within the jurisdiction of the County.

A portion of the subject assessment district lies within the unincorporated area of the County and the City Council (the "Council") of the City of Sacramento (the "City") has adopted a resolution requesting jurisdiction from your Board in connection with the subject district. Consent by your Board will constitute assent to the assumption of jurisdiction by the City for all purposes of the proceeding and authorize the City to take each and every step required or suitable for the consummation of the work and the levying, collecting, and enforcement of the assessments to cover the expenses thereof and the issuance and enforcement of bonds to represent unpaid assessments. A copy of the aforesaid resolution is attached hereto as Exhibit I and attached to Exhibit I is a copy of the Council's proposed Resolution of Intention to Order Improvement in Willowcreek Assessment District No. 94-03.

WILLOWCREEK ASSESSMENT DISTRICT #94-03

November 22, 1994 Council Requests Jurisdiction from County Board of Supervisors
November 29, 1994 County Adopts Resolution Granting Jurisdiction to City of Sacramento
December 1, 1994 Property Owner(s) Community Meeting

December 6, 1994	COUNCIL ADOPTS RESOLUTION OF INTENTION AND SETS HEARING DATES
------------------	--

December, 1994 Record Boundary Map with County Recorder
December, 1994 Mail, Publish Notice of Hearing
January 4, 1995 Receive Bids
January 24, 1995 Council Holds Public Hearing No. 1
January 31, 1995 Council Holds Public Hearing No. 2
COUNCIL CONSIDERS RESOLUTIONS TO OVERRULE PROTESTS AND LEVY THE ASSESSMENTS
February, 1995 Record Assessment Diagram and Notice of Assessment with County
March 21, 1995 **COUNCIL CONSIDERS RESOLUTION AUTHORIZING SALE OF BONDS, APPROPRIATION OF FUNDS - AWARD OF CONTRACT**
April 3, 1995 Bond Closing
April, 1995 City Receives Proceeds from Bonds
April, 1995 Contractor Notice to Proceed
July 1, 1995 Estimated Completion Date for Improvements

City Council

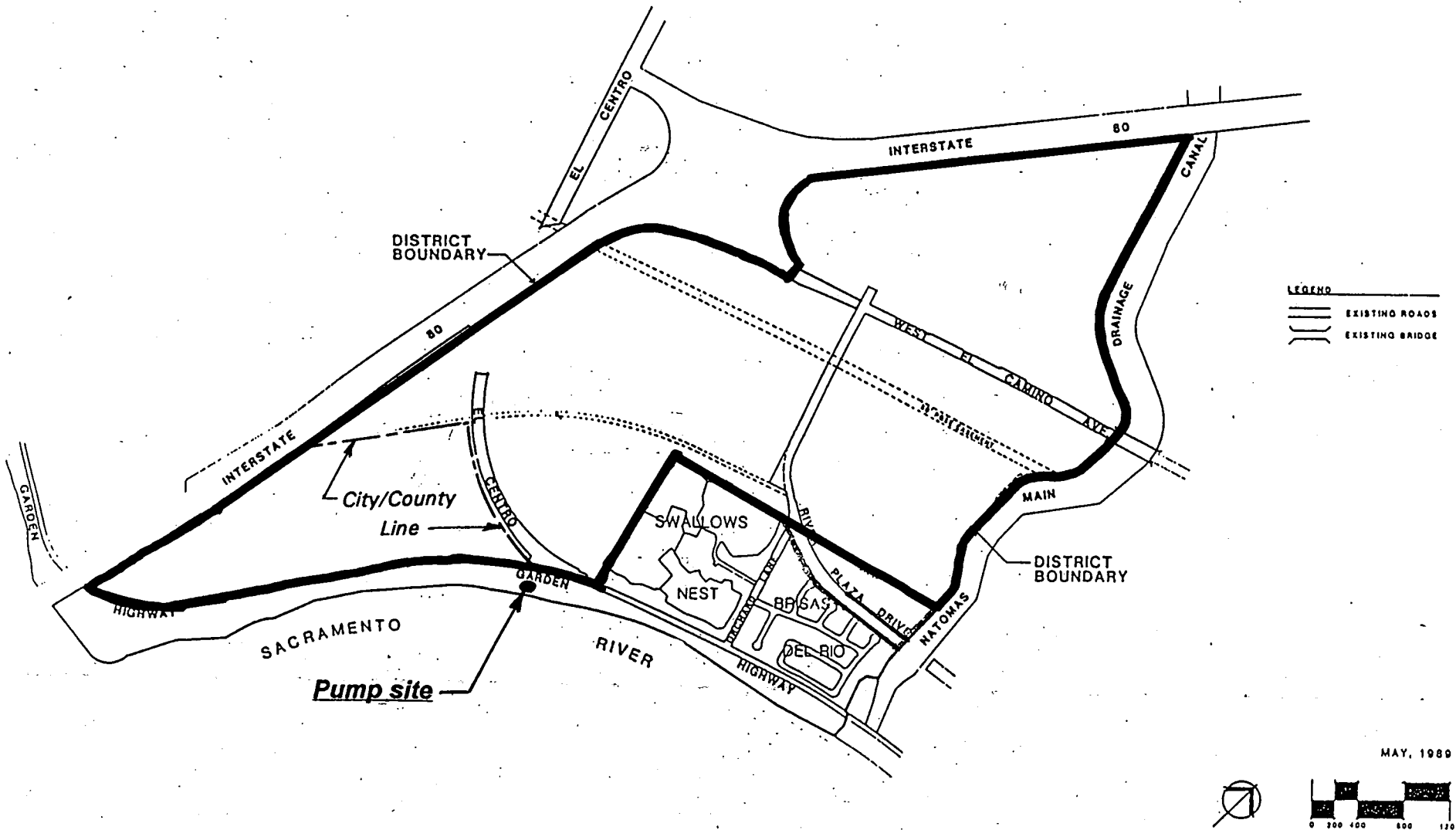
Willowcreek Assessment District #94-03

November 18, 1994

Page 3

The above expenditures are detailed in the Engineer's Report on file with the City Clerk. Final budgeting recommendations will be made at the time of contract award and sale of bonds. There is no impact to the General Fund as a result of this district. A non-refundable fee of \$20.00 will be charged for each set of plans and specifications to cover the cost of reproduction.

ENVIRONMENTAL CONSIDERATION:



**WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03
LOCATION MAP**

The Council's resolution of intention states the improvements to be ordered are the preparation of plans and specifications for a future drainage pumping plant and the construction now of drainage outfall pipelines for the future plant. The work will also include the acquisition of lands, easements, facilities, and rights auxiliary thereto necessary to complete the facilities. It should be pointed out that the City, unless it has funding from another source, will have to levy additional assessments in the future to fund construction of the pumping plant because it appears said construction is not funded by this district.

The Council, in its proposed resolution, also finds the land within the boundaries of the subject district to be specially benefitted by the improvement and that the Council intends to levy assessments within the district in accordance with the special benefit to be received by each parcel. Attached hereto as Exhibit II is a location map showing the boundaries of the proposed district. City staff has informed the County that the parcels in the unincorporated area of the County and the proposed assessment to be levied on those parcels are as shown below:

APN	OWNER	PROPOSED ASSESSMENT
274-0021-012*	Citation Northern	80,240.12
274-0021-013	Joaquin, Perry & Margo	9,714.53
274-0021-011	Joaquin, Perry & Margo	0.00
274-0220-050*	Giannoni, John M. & Kerry M.	46,191.64
274-0220-051	Parr, Donald D & Alice E.	92,383.28
274-0220-049*	Associated Investors	0.00
274-0220-017	Isaac, Sandi Sue	12,381.26
274-0220-052*	Morgan, Emory C. & Fern L.	66,192.14
274-0220-047	Costa, Ronald P. & Gay T.	\$15,714.67

* Signed request for formation of district. City is, however, proceeding under public convenience and necessity due to an insufficient petition. (Information from City staff)

Honorable Board of Supervisors

November 29, 1994

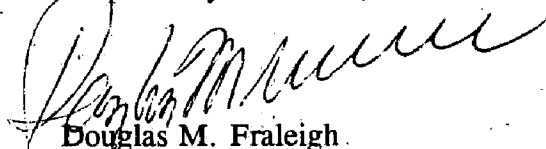
Page 3

Also, according to City staff, the above County parcels amount to approximately 21% of the proposed assessment district area and because costs have been allocated on an area basis they account for approximately 21% of the total assessment. The County parcels requesting formation of the proposed assessment district amount to approximately 60% in area of the County parcels proposed to be assessed.

A copy of this letter has been sent to affected County property owners along with a notice that your Board is considering this matter today.

Finally, City staff is in attendance today to answer any questions your Board has in considering the Council's request for jurisdiction to include County properties in the proposed City Willowcreek Assessment District No. 94-03. If your Board determines to grant jurisdiction in this matter, an appropriate resolution is attached for adoption by the Board.

Respectfully submitted,



Douglas M. Fraleigh
Administrator

DMF:DWB:bf:svb

Attachments

infra\bl willowcreek ad jurisdiction

C O U N T Y O F S A C R A M E N T O

RESOLUTION NO. 94-1660

**RESOLUTION CONSENTING TO THE FORMATION
OF THE WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03
BY THE CITY OF SACRAMENTO**

WHEREAS, on November 22, 1994, the City Council of the City of Sacramento, California (the "Council") adopted Resolution No. 94-679, Resolution Requesting Jurisdiction of the Board of Supervisors of the County of Sacramento in connection with the Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the Council in Resolution No. 94-679 has requested consent of the Board of Supervisors (the "Board") of the County of Sacramento (the "County") to the formation of the proposed Willowcreek Assessment District No. 94-03 (the "District") of the City of Sacramento (the "City") to the proposed Resolution of Intention attached to said resolution as Exhibit A, to the improvements described in said Resolution of Intention, and to the assumption of jurisdiction by the Council for all purposes in connection with the District; and

WHEREAS, a portion of the lands shown within the boundaries of the District lies outside the jurisdiction of the Council and within the jurisdiction of the Board; and

WHEREAS, Section 10103 of the Municipal Improvement Act of 1913, Division 12 of the Streets and Highways Code of the State of California (the "Act") requires consent of the Board to the formation of the District, to the improvements described in said Resolution of Intention and to the assumption of jurisdiction by the Council for constructing the improvements described in said Resolution of Intention in order for the Council to adopt its Resolution of Intention; and

WHEREAS, certified copies of said Council Resolution No. 94-679 and of the proposed boundary map for the District have been transmitted to the Clerk of the Board; and

WHEREAS, the Board has considered the requests contained in said Council Resolution No. 94-679 and has reviewed said Resolution of Intention and said proposed boundary map.

NOW, THEREFORE, BE IT RESOLVED by the Board of the County as follows:

Section 1. This Board hereby approves and consents to the formation, by the Council of the City, of the assessment district designated "Willowcreek Assessment District No. 94-03, City of Sacramento, Sacramento County, California."

Section 2. The Board hereby approves the improvements described in the Resolution of Intention for the District, the proposed map of the area constituting the district, which is attached hereto as Exhibit B and made a part hereof, and the Resolution of Intention as submitted to this Board by the Council.

Section 3. The Board hereby approves and consents to the levying of assessments in the unincorporated territory in Sacramento County pursuant to the Act within the District boundaries as shown on Exhibit B and hereby consents to the assumption of jurisdiction by the Council for all purposes of said proceeding with the understanding that the Council may hereafter take each and every step required or suitable for consummation of the work and the levying, collecting, and enforcement of the assessments to cover the expenses thereof, and the issuance and enforcement of bonds to represent unpaid assessments.

Section 4. Any change in the District which would result in a notice and hearing pursuant to Section 10350 et seq. of the Act, shall require further consent of the Board.

Section 5. This Board agrees that the Council shall be the "lead agency" as defined in the California Environmental Quality Act for the purpose of complying with the requirements of that statute.

Section 6. The Clerk of the Board is hereby authorized and directed to file a certified copy of this resolution with the City Clerk of the City as evidence of the consent and approval of this Board to the formation of the District, as provided by the Act.

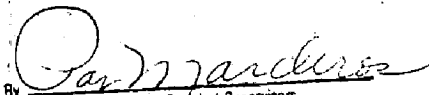
ON A MOTION by Supervisor Dickinson, seconded by Supervisor M. Johnson, the foregoing resolution was passed and adopted by the BOARD OF SUPERVISORS OF THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, this 13th day of December, 1994, by the following vote, to wit:

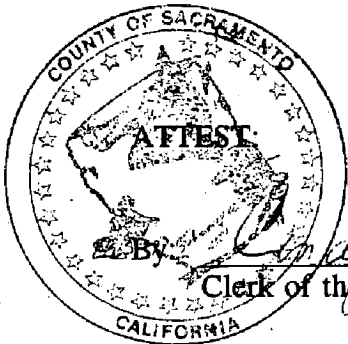
- AYES: Supervisors, Collin, Dickinson, M. Johnson, T. Johnson, Cox
- NOES: Supervisors, None
- ABSENT: Supervisors, None
- ABSTAIN: Supervisors, None

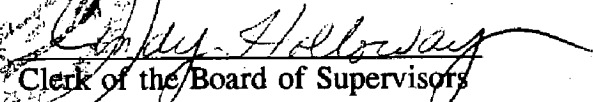

Chairman of the Board of Supervisors

In accordance with Section 25105 of the Government Code of the State of California a copy of this document has been delivered to the Chairman of the Board of Supervisors, County of Sacramento on

DEC 13 1994

By 
Deputy Clerk, Board of Supervisors



By 
Clerk of the Board of Supervisors

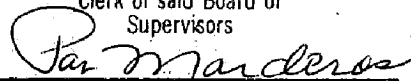
DWB:svb
infra\reso willowcreek assmt distr

The foregoing is a correct copy of a resolution adopted by the Board of Supervisors, Sacramento County, California

on 12-13-94

Dated 12-13-94

Clerk of said Board of Supervisors

By 

RESOLUTION NO. 94-679

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF NOV 22 1994

RESOLUTION REQUESTING CONSENT TO
CONDUCT ASSESSMENT PROCEEDINGS IN

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION OF INTENTION TO ORDER IMPROVEMENT IN

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The City Council of the City of Sacramento resolves:

This Council intends to order the following improvement under the authority of the Municipal Improvement Act of 1913:

- A. Preparation of plans and specifications for a future pumping plant and construction of drainage outfall pipelines for the future drainage pumping plant and appurtenances thereto, levee excavation and levee embankment, concrete outfall structure, rip rap, concrete stairway, concrete walk, pavement and pavement replacement, metal beam guard rail, chain link fence, concrete drainage ditch, traffic control, landscaping and revegetation within easements to be acquired on properties adjacent to the intersection of Garden Highway and El Centro Road. The outfall pipelines will be constructed from the future pumping plant to the Sacramento River in easements to be acquired lying within County Assessor parcel numbers, 274-0022-006, 274-0021-012 and 274-0021-005.
- B. The acquisition of all lands, easements, facilities and rights and the performing of all work auxiliary to any of the above and necessary to complete the same.

This Council finds that the land specially benefited by the improvement is shown within the boundaries of the map entitled, "Proposed Boundaries of Willowcreek Assessment District No. 94-03 (Pump Outfall Structure), City of Sacramento, State of California." This map has been approved by the City Council and is now on file with the City Clerk. The land within the exterior boundaries shown on the map shall be designated Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California.

This Council intends to levy a special assessment upon the land within the described district in accordance with the special benefit to be received by each parcel of land, respectively, from the improvement. There shall be omitted from special assessment all public streets, alleys and places and all land belonging to the United States, the State of

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 94-679

EXHIBIT A

NOV 20 1994

In the opinion of this Council, the public interest will not be served by allowing owners of assessable lands to enter into a contract for the work of improvement as otherwise permitted in Section 20485 of the Public Contract Code.

If any excess shall be realized from the assessment it shall be used, in such amounts as the City Council may determine, in accordance with the provisions of law for one or more of the following purposes:

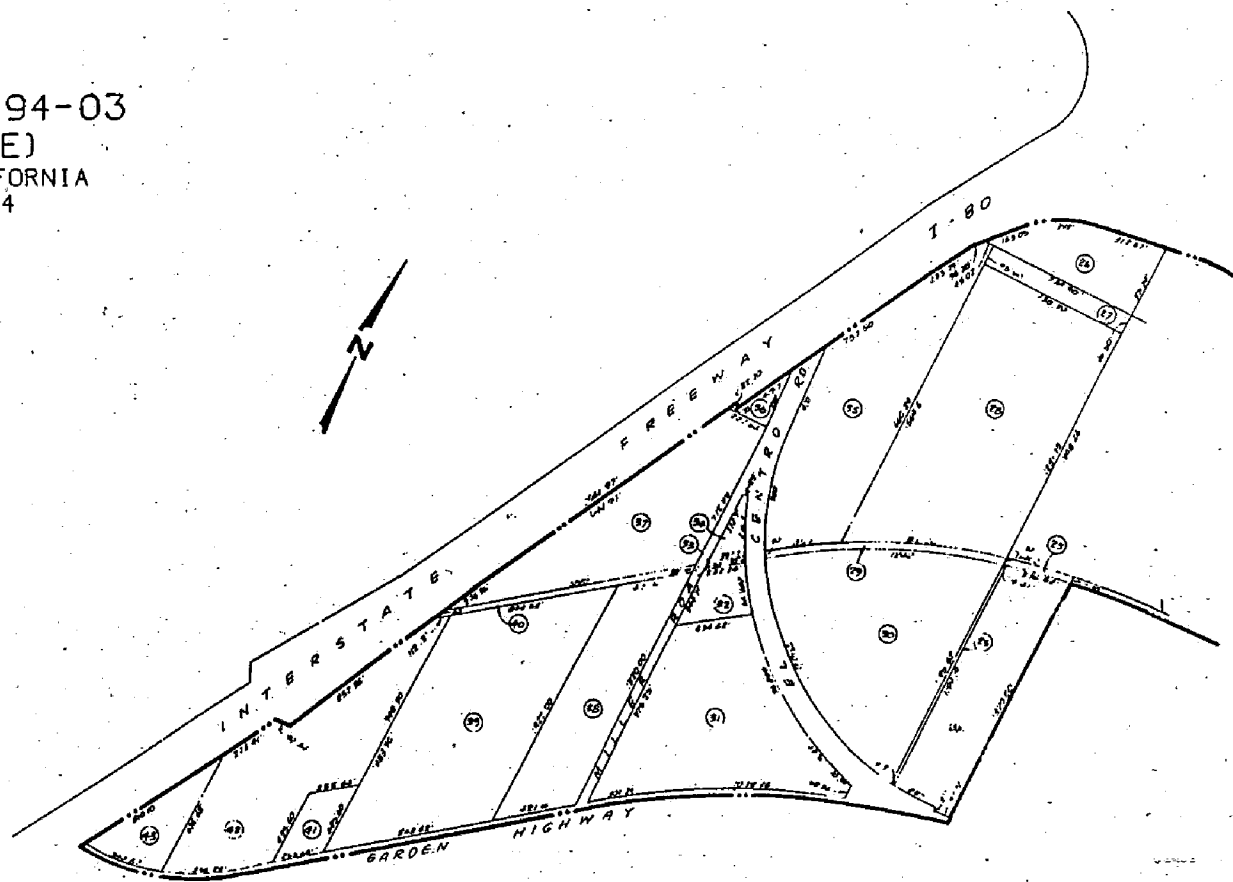
- (a) Transfer to the general fund of the City, provided that the amount of any such transfer shall not exceed the lesser of \$1,000 or 5% of the total amount expended from the improvement fund;
- (b) As a credit upon the assessment and any supplemental assessment, provided that such surplus may, if the City Council so determines, also be applied as a credit to the City or any local, state or national agency or authority which shall have made a contribution towards the cost and expenses of the acquisitions and improvements in the proportion which such contribution bears to the total amount of the assessment or supplemental assessment prior to the deduction of all such contributions; or
- (c) For the maintenance of the improvements.
- (d) To call bonds, thereby reducing outstanding assessments and subsequent assessment installments.

* * *

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 94-679
DATE ADOPTED: NOV 22 1994

ASSESSMENT DIAGRAM
WILLOWCREEK
ASSESSMENT DISTRICT NO. 94-03
(PUMP OUTFALL STRUCTURE)
CITY OF SACRAMENTO STATE OF CALIFORNIA
SCALE: 1"=400' 1994
The Splink Corporation
Sheet 2 of 2 Sheets



SEE SHEET 1 OF 2 SHEETS

ASSESSMENT DIAGRAM
 WILLOWCREEK
 ASSESSMENT DISTRICT NO. 94-03
 (PUMP OUTFALL STRUCTURE)
 CITY OF SACRAMENTO STATE OF CALIFORNIA
 SCALE: 1"=400' 1994
The Spink Corporation
 Sheet 1 of 2 Sheets

CLERK'S MAP FILING STATEMENT

Filed in the office of the City Clerk of the City of Sacramento, County of Sacramento, State of California, this ___ day of _____, 19___.

Valerie Burrows, City Clerk
 City of Sacramento

SUPERINTENDENT OF STREETS RECORDING STATEMENT

Recorded in the office of the Superintendent of Streets of the City of Sacramento, County of Sacramento, State of California, this ___ day of _____, 19___.

Superintendent of Streets
 City of Sacramento

CLERK'S CERTIFICATE

An assessment was levied by the City Council of the City of Sacramento, County of Sacramento, State of California, on the lots, pieces and parcels of land shown on this Assessment Diagram. Said assessment was levied on the ___ day of _____, 19___, said Assessment Diagram and the Assessment Roll were recorded in the office of the Superintendent of Streets of the City of Sacramento on the ___ day of _____, 19___. Reference is made to the Assessment Roll recorded in the office of the Superintendent of Streets for the exact amount of each assessment levied against each parcel of land shown on this Assessment Diagram.

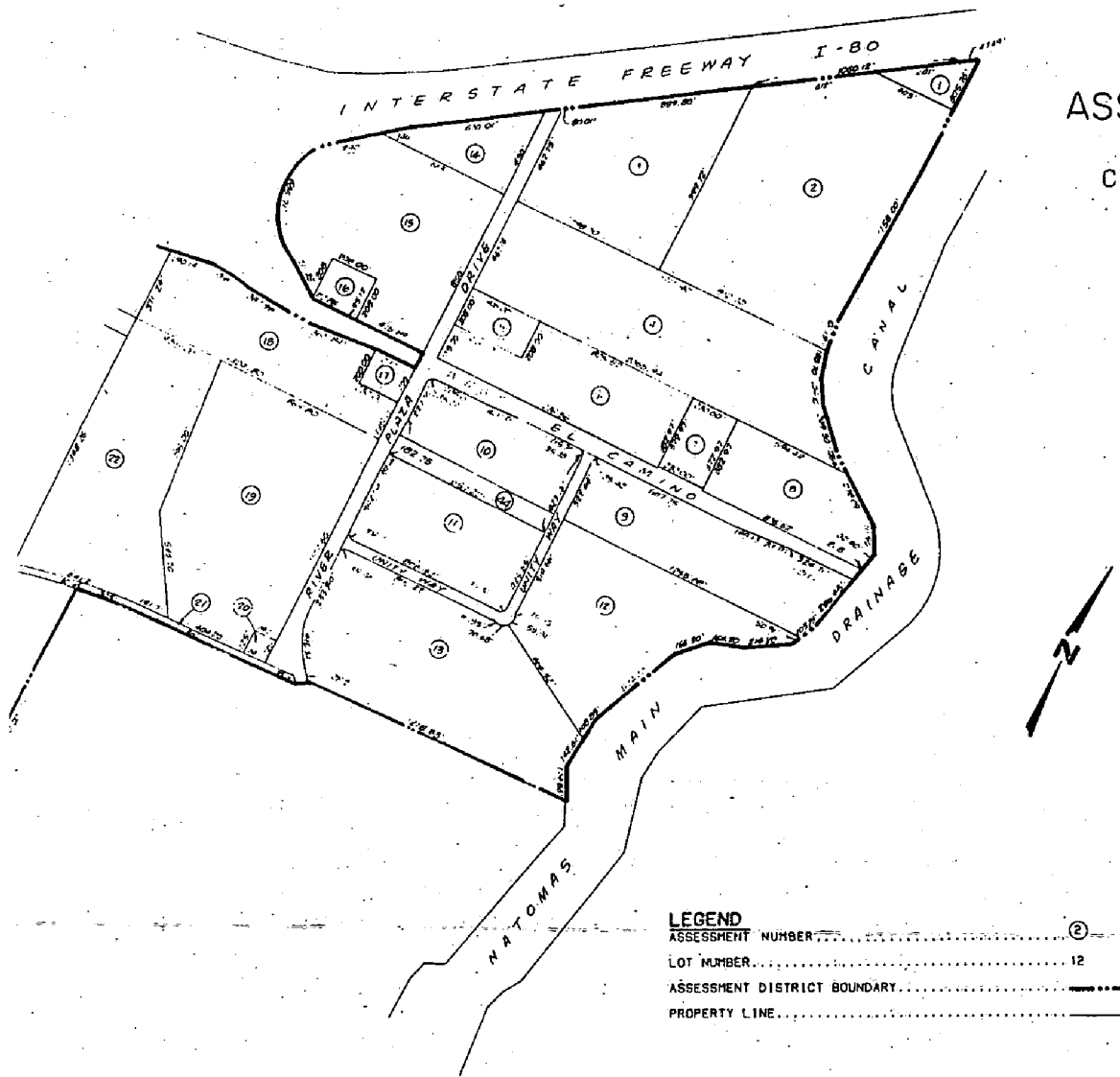
Valerie Burrows, City Clerk
 City of Sacramento

COUNTY RECORDER'S FILING STATEMENT

Filed this ___ day of _____, 19___, at the hour of ___ o'clock ___ m., in Book ___ of Maps of Assessment Districts and Community Facilities Districts of Page ___ in the Office of the County Recorder of the County of Sacramento, State of California.

County Recorder of the
 County of Sacramento, California

By _____



LEGEND
 ASSESSMENT NUMBER..... ②
 LOT NUMBER..... 12
 ASSESSMENT DISTRICT BOUNDARY..... ————
 PROPERTY LINE..... ————

APPROVED
BY THE CITY COUNCIL

DEC 13 1994

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 94-715

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION APPROVING BOUNDARY MAP IN

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The City Council of the City of Sacramento resolves:

A map entitled "Proposed Boundaries of Willowcreek Assessment District No. 94-03 (Pump Outfall Structure), City of Sacramento, State of California" has been filed with the City Clerk.

This Council approves the map and adopts the boundaries shown on the map as describing the extent of the territory included in a proposed assessment district to be known as Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California.

This Council finds that the map is in the form and contains the matters prescribed by Section 3110 of the California Streets and Highways Code.

This Council directs the City Clerk to certify the adoption of this resolution on the face of the map, and to file a copy of the map with the County Recorder for placement in the Book of Maps of Assessment and Community Facilities Districts.

* * *

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 13th day of December, 1994.

Mayor

ATTEST:

City Clerk

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

APPROVED
BY THE CITY COUNCIL

DEC 13 1994

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 94-716

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION OF INTENTION TO ORDER IMPROVEMENT IN
WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03**

The City Council of the City of Sacramento resolves:

This Council intends to order the following improvement under the authority of the Municipal Improvement Act of 1913:

- A. Preparation of plans and specifications for a future pumping plant and construction of drainage outfall pipelines for the future drainage pumping plant and appurtenances thereto, levee excavation and levee embankment, concrete outfall structure, rip rap, concrete stairway, concrete walk, pavement and pavement replacement, metal beam guard rail, chain link fence, concrete drainage ditch, traffic control, landscaping and revegetation within easements to be acquired on properties adjacent to the intersection of Garden Highway and El Centro Road. The outfall pipelines will be constructed from the future pumping plant to the Sacramento River in easements to be acquired lying within County Assessor parcel numbers, 274-0022-006, 274-0021-012 and 274-0021-005.
- B. The acquisition of all lands, easements, facilities and rights and the performing of all work auxiliary to any of the above and necessary to complete the same.

This Council finds that the land specially benefited by the improvement is shown within the boundaries of the map entitled, "Proposed Boundaries of Willowcreek Assessment District No. 94-03 (Pump Outfall Structure), City of Sacramento, State of California." This map has been approved by the City Council and is now on file with the City Clerk. The land within the exterior boundaries shown on the map shall be designated Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California.

This Council intends to levy a special assessment upon the land within the described district in accordance with the special benefit to be received by each parcel of land, respectively, from the improvement. There shall be omitted from special assessment all public streets, alleys and places and all land belonging to the United States, the State of

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

California, the County of Sacramento and this City now in use in the performance of a public function.

Where any disparity occurs in level or size between the improvement and private property, this Council determines that it is in the public interest and more economical to eliminate the disparity by doing work on the private property instead of adjusting the work on public property. Accordingly, work may be done on private property for this purpose with the written consent of the landowner.

In the event that the amount provided for in these proceedings is insufficient to pay various costs and expenses incurred from time to time by the City and not otherwise reimbursed which result from the administration and collection of assessment installments or from the administration or registration of the associated 1915 Act bonds and the various funds and accounts pertaining thereto, this Council intends, pursuant to Section 8682.1 and subparagraph (f) of Section 10204 of the California Streets and Highways Code, to impose an annual assessment upon each of the several parcels of land in this assessment district to provide therefor.

Bonds representing unpaid assessments, and bearing interest at a rate not to exceed twelve percent (12%) per annum, will be issued in the manner provided by the Improvement Bond Act of 1915 (Division 10, Streets and Highways Code), and the last installment of the bonds shall mature not to exceed twenty-four (24) years from the second day of September next succeeding twelve (12) months from their date.

The procedure for the collection of assessments and advance retirement of bonds under the Improvement Bond Act of 1915 shall be as provided in Part 11.1, Division 10, of the Streets and Highways Code of the State of California.

The City will not obligate itself to advance available funds from the City treasury to cure any deficiency which may occur in the bond redemption fund. A determination not to obligate itself shall not prevent the City from, in its sole discretion, so advancing funds.

This Council finds that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (commencing with Section 2800, Streets and Highways Code) does not apply to these proceedings.

This Council appoints the Deputy Director of Public Works as Engineer of Work for this project, and directs the preparation of the report required by Section 10204 of the Streets and Highways Code.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

In the opinion of this Council, the public interest will not be served by allowing owners of assessable lands to enter into a contract for the work of improvement as otherwise permitted in Section 20485 of the Public Contract Code.

If any excess shall be realized from the assessment it shall be used, in such amounts as the City Council may determine, in accordance with the provisions of law for one or more of the following purposes:

- (a) Transfer to the general fund of the City, provided that the amount of any such transfer shall not exceed the lesser of \$1,000 or 5% of the total amount expended from the improvement fund;
- (b) As a credit upon the assessment and any supplemental assessment, provided that such surplus may, if the City Council so determines, also be applied as a credit to the City or any local, state or national agency or authority which shall have made a contribution towards the cost and expenses of the acquisitions and improvements in the proportion which such contribution bears to the total amount of the assessment or supplemental assessment prior to the deduction of all such contributions; or
- (c) For the maintenance of the improvements.
- (d) To call bonds, thereby reducing outstanding assessments and subsequent assessment installments.

* * *

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 13th day of December, 1994.

Mayor

ATTEST:

City Clerk

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

APPROVED
BY THE CITY COUNCIL

DEC 13 1994

OFFICE OF THE
CITY CLERK

AG 94-186

RESOLUTION NO. 94-717

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION APPROVING AGREEMENT FOR LEGAL SERVICES

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The City Council of the City of Sacramento resolves:

This Council approves that certain agreement between the CITY OF SACRAMENTO, and STURGIS, NESS, BRUNSELL & ASSAF a professional corporation, for services of that firm as Special Bond Counsel for Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California and attached to this resolution.

The Mayor is authorized to sign the agreement and the City Clerk is authorized to attest its execution.

* * *

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 13th day of December, 1994.

Mayor

ATTEST:

City Clerk

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

NOTICE OF IMPROVEMENT

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The City Council of the City of Sacramento will conduct two public hearings on the Resolution of Intention (adopted December 13, 1994), and the Engineer's Report for the proposed Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California. At the hearings the Council will take public testimony, including protests against the proposed improvement, the extent of the assessment district, or the proposed assessment. The public hearings will be held in the Chambers of the City Council, 915 "I" Street, Sacramento, California:

At 7:00 p.m. on January 24, 1995;
At 7:00 p.m. on January 31, 1995.

The proposed improvement is briefly described as follows:

- A. Preparation of plans and specifications for a future pumping plant and construction of drainage outfall pipelines for the future drainage pumping plant and appurtenances thereto, levee excavation and levee embankment, concrete outfall structure, rip rap, concrete stairway, concrete walk, pavement and pavement replacement, metal beam guard rail, chain link fence, concrete drainage ditch, traffic control, landscaping and revegetation within easements to be acquired on properties adjacent to the intersection of Garden Highway and El Centro Road. The outfall pipelines will be constructed from the future pumping plant to the Sacramento River in easements to be acquired lying within County Assessor parcel numbers, 274-0022-006, 274-0021-012 and 274-0021-005.
- B. The acquisition of all lands, easements, facilities and rights and the performing of all work auxiliary to any of the above and necessary to complete the same.

The total estimated cost of the proposed improvement is \$1,592,278.18.

At the time and place set forth above, the City Council of the City of Sacramento will also hold a public hearing on the public convenience and necessity of the improvement, pursuant to the provisions of Article 16, Section 19 of the California Constitution, without compliance with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

For further particulars you may refer to the Resolution of Intention and the Report on file with the City Clerk at 915 "I" Street, Sacramento, CA. Inquiries about the improvement proceedings will be answered by Ron Wicky, Engineer of Work; telephone (916) 264-7113.

In the event that the amount provided for in these proceedings is insufficient to pay various costs and expenses incurred from time to time by the City and not otherwise reimbursed which result from the administration and collection of assessment installments or from the administration or registration of the associated 1915 Act bonds and the various funds and accounts pertaining thereto, this Council intends, pursuant to Section 8682.1 and subparagraph (f) of Section 10204 of the California Streets and Highways Code, to impose an annual assessment upon each of the several parcels of land in this assessment district to provide therefor. The maximum amount of such annual assessment to be levied upon each such parcel of land shall be the pro rata share of \$3,000 for the first year plus annual increases, if necessary, in an amount equal to the increase in the United States Department of Labor Consumer Price Index.

Any interested person may file a written protest with the City Clerk at the address given above, at or before the time set for the second hearing. Each protest must contain a description of the property in which the signer is interested, sufficient to identify the property. If owners of more than 50% (by area) of the land subject to assessment file written protests, and if protests are not reduced by withdrawal during the hearings to less than a majority, the project will be abandoned unless the City Council overrules the protests by a 4/5th vote of its membership.

DATED: December 13, 1994

VALERIE A. BURROWES, City Clerk,
City of Sacramento,
Sacramento County, California

AGREEMENT FOR LEGAL SERVICES

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

This is an agreement for legal services between the CITY OF SACRAMENTO, a municipal corporation of the State of California, referred to as Client, and STURGIS, NESS, BRUNSELL & ASSAF a professional corporation, Attorneys at Law, Emeryville, California, referred to as Bond Counsel.

1. Client retains Bond Counsel as special counsel to perform the following legal services relating to the Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California.

- (a) Preparation of all forms of resolutions, notices, affidavits, and other documents required by the Municipal Improvement Act of 1913, including the legal format of the engineer's report required by Section 10204.
- (b) The preparation of written instructions to Client's Clerk and other staff members concerning the performance of legally required duties.
- (c) Review of documents prepared by Client's engineering staff or consulting engineers, including boundary map, assessment diagram, assessment roll, and the general provisions of construction specifications.
- (d) Attendance at the public hearings on the engineer's report (including continuances of the hearing, if any).
- (e) Attendance at all other public meetings of Client at which matters relating to the assessment district are considered, except routine matters.
- (f) Attendance at staff meetings or meetings of property owners, upon the request of the Client, after reasonable notice.

- (g) Telephone consultation with staff members and property owners to answer legal questions about the assessment proceedings.
- (h) Preparation of the notice inviting bids and construction contract, if required, and review of contract bonds and insurance documents.
- (i) Arrangements for the printing of improvement bonds to represent unpaid assessments, including, if required, the printing of a bond register and assessment installment notices.
- (j) The preparation of a record of assessment installments for the use of the County Auditor, if required, and the preparation of other records of electronic media, if it can be arranged, at the expense of the Client.
- (k) Arrangements for the sale of improvement bonds either by negotiation or by public bid, at the option of Client, including a review of financial disclosure requirements and, if required, the preparation of the notice inviting bond bids.
- (l) The preparation of bond delivery documents.
- (m) The rendition of a legal opinion on the validity of the improvement bonds and the proceedings leading to their issuance.
- (n) Preparation of a transcript of the legal proceedings in loose-leaf form for the use of the Client.
- (o) Preparation of the required reports to the California Debt Advisory Commission (pursuant to Section 8855 et seq. of the Government Code) and to the Internal Revenue Service (pursuant to Section 149 of the Internal Revenue Code of 1986).

2. The services of Bond Counsel under this agreement shall not include the

following:

- (a) Legal services in connection with the acquisition of interests in real property, either through negotiation or through exercise of the power of eminent domain.

- (b) Legal services in connection with litigation.

The performance by Bond Counsel of services excluded by this paragraph, if required by Client, shall be under separate oral or written agreement.

3. In consideration of the services set forth in paragraph 1, Client shall pay to Bond Counsel the following fee and costs:

- (a) The legal fee of Bond Counsel shall be a scaled percentage of the amount assessed as set forth in the engineer's report as finally approved under Section 10312 of the Streets and Highways Code.
- (b) The legal fee shall be an amount equal to one and one-half percent (1-1/2%) of that portion of the amount assessed not exceeding \$10,000,000, plus one-half percent (1/2%) of that portion of the amount assessed exceeding \$10,000,000 but not exceeding \$20,000,000, plus one-eighth (1/8%) of that portion of the amount assessed exceeding \$20,000,000. The fee shall be not less than \$1,500.
- (c) In addition to the basic legal fee specified in paragraph (b) above, if bonds representing unpaid assessments are issued in more than one issue, the legal fee shall include \$5,000 for each issue after the first.
- (d) Costs shall be reimbursed to Bond Counsel as follows:
 - 1) Filing and recording fees and publication costs advanced on behalf of Client
 - 2) The cost of preparing auditor's record, if required: 7 cents per assessment for each year of the bond issue, with a minimum of \$30.00.
 - 3) Costs of Federal Express or similar delivery service.
 - 4) Cost of preparation of notices to property owners.

The cost of other services for which Bond Counsel makes arrangements under this agreement (such as bond printing costs and preparation of records on electronic media) shall be billed to the Client and shall be paid by Client directly to the payee.

- (e) Payment by Client of the legal fee is contingent upon the levy of assessments and the sale and delivery of improvement bonds representing unpaid assessments in the assessment district. If for any reason, assessments are not confirmed and bonds delivered, Bond Counsel shall be paid no legal fee.
- (f) Both the legal fee and costs are payable upon delivery of the bonds. If bonds are issued in more than one issue, the cumulative amount payable after each delivery shall be calculated under subparagraph (b) by reducing the amount of the assessment by the par value of bonds authorized but not issued; the amount payable after each delivery shall be the cumulative amount payable less amounts previously paid.

4. Bond Counsel certifies that it has no interest, either direct or contingent, in any property or contract arising from or affected by the assessment district, except as Bond Counsel under this agreement. Bond Counsel does not represent any owner of property within the proposed boundaries of this assessment district, and has not received a fee from any source for services connected with the project.

DATED: December 13, 1994

CITY OF SACRAMENTO, a municipal corporation of the State of California

By _____
Mayor

ATTEST:

By _____
City Clerk

STURGIS, NESS, BRUNSELL & ASSAF
a professional corporation

By _____
Philip D. Assaf

APPROVED
BY THE CITY COUNCIL

DEC 13 1994

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 94-718

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION SETTING TIME AND PLACE OF HEARING FOR
DETERMINING PUBLIC CONVENIENCE AND NECESSITY**

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The City Council of the City of Sacramento resolves:

1. Tuesday, January 31, 1995, at 7:00 P. M. in the Chambers of the City Council of the City of Sacramento, 915 "I" Street, Sacramento, California, is hereby fixed as the time and place when and where any and all persons interested may appear and show cause why the Council should not find and determine that the public convenience and necessity require the construction and acquisition of the proposed improvement to be made in Willowcreek Assessment District No. 94-03, without compliance with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

2. The City Clerk of the City of Sacramento is hereby directed to give notice of the time and place of said hearing in the following manner:

By publishing a Notice of Improvement, said publication to be not less than twenty (20) days prior to the date of said hearing.

By posting a copy of the Notice of Improvement at or near the place of meeting of the City Council for ten (10) days prior to the time of said hearing.

By mailing a copy of the Notice of Improvement to each property owner in said proposed assessment district, said mailing to be sent not less than forty-five (45) days prior to the date of said hearing.

*

*

*

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 13th day of December, 1994.

Mayor

ATTEST:

City Clerk

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

APPROVED
BY THE CITY COUNCIL

DEC 13 1994

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 94-719

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION ACCEPTING REPORT AND SETTING HEARINGS OF PROTESTS

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The City Council of the City of Sacramento resolves:

1. At the direction of this Council, the Deputy Director of Public Works, as Engineer of Work for improvement proceedings in Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California, has filed with the City Clerk the report described in Section 10204 of the Streets and Highways Code (Municipal Improvement Act of 1913). This Council accepts the report without modification, for the purpose of conducting public hearings on the improvements described in the report.
2. This Council sets 7:00 P.M. on January 24, 1995, and 7:00 P.M. on January 31, 1995, at the Chambers of the City Council, 915 "I" Street, Sacramento, California, as the time and place for public hearings on the proposed improvements.
3. The City Clerk is directed to mail the notices of improvement required by the Municipal Improvement Act of 1913, and to file an affidavit of compliance.

* * *

This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 13th day of December, 1994.

Mayor

ATTEST:

City Clerk

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

ENGINEER'S REPORT

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The undersigned respectfully submits the enclosed report as directed by the City Council.

DATED: December 13, 1994

MICHAEL KASHIWAGI,
Deputy Director of Public Works,
Engineer of Work

By _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was filed with me on the 13th day of December, 1994.

VALERIE A. BURROWES, City Clerk,
City of Sacramento, Sacramento County,
California

By _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Sacramento, Sacramento County, California, on the _____ day of _____, 1995.

VALERIE A. BURROWES, City Clerk,
City of Sacramento, Sacramento County,
California

By _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was recorded in my office on the _____ day of _____, 1995.

MICHAEL KASHIWAGI,
Superintendent of Streets,
Engineer of Work

By _____

ENGINEER'S REPORT

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The Deputy Director of Public Works, Engineer of Work for Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California makes this report, as directed by the City Council, pursuant to Section 10204 of the Streets and Highways Code (Municipal Improvement Act of 1913).

The improvements which are the subject of this report are briefly described as follows:

- A. Preparation of plans and specifications for a future pumping plant and construction of drainage outfall pipelines for the future drainage pumping plant and appurtenances thereto, levee excavation and levee embankment, concrete outfall structure, rip rap, concrete stairway, concrete walk, pavement and pavement replacement, metal beam guard rail, chain link fence, concrete drainage ditch, traffic control, landscaping and revegetation within easements to be acquired on properties adjacent to the intersection of Garden Highway and El Centro Road. The outfall pipelines will be constructed from the future pumping plant to the Sacramento River in easements to be acquired lying within County Assessor parcel numbers, 274-0022-006, 274-0021-012 and 274-0021-005.
- B. The acquisition of all lands, easements, facilities and rights and the performing of all work auxiliary to any of the above and necessary to complete the same.

Bonds representing unpaid assessments, and bearing interest at a rate not to exceed twelve percent (12%) per annum, shall be issued in the manner provided by the Improvement Bond Act of 1915 (Division 10, Streets and Highways Code), and the last installment of the bonds shall mature not to exceed twenty-four (24) years from the second day of September next succeeding twelve (12) months from their date.

This report includes the following attached exhibits:

- EXHIBIT A - Plans and specifications for improvements to be constructed. Plans and specifications are a part of this report whether or not separately bound.
- EXHIBIT B - An estimate of the cost of the improvements.
- EXHIBIT C - An assessment roll, showing the amount proposed to be specially assessed against each parcel of real property within this assessment district. Each parcel is described by County Assessor's parcel number or other designation, and each parcel is also assigned a separate "assessment number" for the purposes of this proceeding.
- EXHIBIT D - A statement of the method by which the undersigned determined the amount proposed to be assessed against each parcel, based on benefits to be derived by each parcel, respectively, from the improvements.
- EXHIBIT E - A list of the names and addresses of the owners of real property within this assessment district, as shown on the last equalized assessment roll for taxes, or as known to the Clerk. The list is keyed to Exhibit C by assessment number.
- EXHIBIT F - A diagram showing all of the parcels of real property within this assessment district. The diagram is keyed to Exhibit C by assessment number.
- EXHIBIT G - A general description of the rights-of-way to be acquired.
- EXHIBIT H - Proposed maximum annual assessment per parcel for current costs and expenses.

Respectfully submitted,

MICHAEL KASHIWAGI,
Deputy Director of Public Works,
Engineer of Work

EXHIBIT A

PLANS AND SPECIFICATIONS

**Plans and specifications are a part of this
report whether or not separately bound.**

EXHIBIT B

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

COST ESTIMATE

OCTOBER 27, 1994

	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1.	Preconstruction Photographs	1	Job	Lump Sum	\$ 500.00
2.	Clearing and Grubbing	1	Job	Lump Sum	\$ 15,000.00
3.	Levee Stripping and Levee Keyway Excavation	1	Job	Lump Sum	\$ 2,000.00
4.	Unsuitable Keyway Excavation	100	C.Y.	\$10.00	\$ 1,000.00
5.	Compacted Levee Embankment	1	Job	Lump Sum	\$ 6,000.00
6.	Traffic Control Plan, Public Safety and Convenience	1	Job	Lump Sum	\$ 15,000.00
7.	Remove and Replace Asphaltic Concrete Pavement	1500	SF	\$5.00	\$ 7,500.00
8.	3" PCC and 12" AB Paving	1300	SF	\$4.00	\$ 5,200.00
9.	Outfall Structure, Portland Cement Concrete	1	Job	Lump Sum	\$ 25,000.00
10.	Portland Cement Concrete (PCC) Walkway	450	S.F.	\$4.00	\$ 1,800.00
11.	Chain Link Fence, 6' High	100	L.F.	\$15.00	\$ 1,500.00
12.	Metal Beam Guard Rail	150	L.F.	\$50.00	\$ 7,500.00
13.	Concrete Stairs with Metal Handrails	1	Job	Lump Sum	\$ 2,000.00
14.	Portland Cement Concrete Ditch	1	Job	Lump Sum	\$ 5,000.00
15.	12" Diameter Discharge Pipe and Appurtenances	1	Job	Lump Sum	\$ 40,000.00
16.	42" Diameter Discharge Pipe and Appurtenances	1	Job	Lump Sum	\$ 95,000.00
17.	54" Diameter Discharge Pipe and Appurtenances	1	Job	Lump Sum	\$ 155,000.00
18.	Rip Rap	1	Job	Lump Sum	\$ 130,000.00
19.	Seeding	1	Job	Lump Sum	\$ 1,500.00
20.	Vegetation, Transplanting and Replacement	1	Job	Lump Sum	\$ 20,000.00
21.	Sprinkler System	1	Job	Lump Sum	\$ 2,000.00
22.	Ninety (90) Day Maintenance	1	Job	Lump Sum	\$ 1,500.00
	TOTAL				\$ 540,000.00

EXHIBIT B

COST ESTIMATE

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

I.	CONSTRUCTION COST	\$ 540,000.00	
A.	Right-of-Way	110,000.00	
B.	Contingency (15%)	<u>81,000.00</u>	
	SUBTOTAL		\$ 731,000.00
II.	INCIDENTAL COSTS		
A.	Design Engineering (Spink)	\$ 66,500.00	
B.	Assessment Diagram (Spink)	4,200.00	
C.	Pump Station Design (Spink)	360,000.00	
D.	Engineering Admin & Staking (City)	80,000.00	
E.	Special Districts	40,000.00	
F.	Official Statement Printing & Appraisal	30,000.00	
G.	Right-of-Way Admin. (City Attorney R.E.)	37,000.00	
H.	Bond Administration	6,000.00	
I.	Bond Printing	4,000.00	
J.	Bond Counsel	23,884.17	
K.	SDIRS	18,461.39	
L.	CDAC	<u>159.23</u>	
	SUBTOTAL		\$1,401,204.79
III.	RESERVE ACCOUNT (9%)		\$ 143,305.04
IV.	BOND DISCOUNT (3%)		<u>\$ 47,768.35</u>
	TOTAL AMOUNT TO BOND		\$1,592,278.18

EXHIBIT C

11/16/94

Page 1

ASSESSMENT ROLL

CITY OF SACRAMENTO
Willowcreek Assessment District No. 94-03

Assessment Number	Assessment Amount	Parcel Description
1	\$ 6,666.83	225-0220-037
2	121,431.63	225-0220-072
3	63,334.93	225-0220-071
4	91,430.87	225-0220-006
5	9,047.85	225-0220-030
6	41,905.82	225-0220-066
7	9,381.19	225-0220-068
8	34,286.58	225-0220-067
9	51,429.87	274-0440-002
10	33,810.37	274-0440-001
11	42,382.02	274-0440-003
12	0.00	274-0440-004 & -007
13	0.00	274-0440-005
14	17,714.73	225-0220-040
15	74,763.79	225-0220-064
16	4,619.16	225-0220-065
17	4,285.82	225-0220-059
18	48,096.45	225-0220-058
19	104,764.54	274-0030-035
20	1,428.61	274-0030-036
21	0.00	274-0030-059
22	76,668.60	274-0030-003
23	0.00	274-0022-010
24	45,477.34	274-0022-007
25	0.00	274-0022-004
26	22,857.72	225-0220-053
27	7,619.24	274-0030-031
28	113,336.19	274-0030-030
29	0.00	274-0022-009
30	89,764.16	274-0022-006
31	80,240.12	274-0021-012
32	9,714.53	274-0021-013
33	0.00	274-0021-011
34	3,809.62	274-0030-064
35	79,525.81	274-0030-044

ASSESSMENT ROLL

CITY OF SACRAMENTO
Willowcreek Assessment District No. 94-03

Assessment Number	Assessment Amount	Parcel Description
36	\$ 2,476.25	274-0010-073
37	60,001.51	274-0010-078
38	46,191.64	274-0220-050
39	92,383.28	274-0220-051
40	0.00	274-0220-049
41	12,381.26	274-0220-017
42	66,192.14	274-0220-052
43	15,714.67	274-0220-047
44	7,143.04	274-0440-006
<hr/>		
TOTAL:	\$ 1,592,278.18	

EXHIBIT "D"

**METHOD OF SPREAD
WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03**

The improvements described in this report will benefit all parcels of land within the proposed district, therefore, the cost will be spread to each benefitted parcel in proportion to its gross area to the total gross area included within the assessment district.

Properties owned by a public agency or utility within the assessment district will have no cost allocated to their properties, even though these properties are included within the district boundaries. These properties benefitting acreage will be considered as being zero for the allocating of the costs.

Parcels 21, 23, 29, 33 and 40 are slivers of land that are currently undevelopable and will be part of a future roadway easement and, therefore, will also be considered as being zero for this allocating of the costs.

Parcel 25 is a sliver of land that is currently undevelopable but will be able to develop when it is combined with the adjacent (same ownership) parcel 24. For the purposes of assessment, costs associated with parcels 24 and 25 will be combined and placed on developable parcel 24.

PROPERTY OWNERS' LIST
CITY OF SACRAMENTO
Willowcreek Assessment District No. 94-03

ASSESSMENT NUMBER(S)	NAME AND ADDRESS OF OWNER
1 to 5	Richard T. Peery & John Arrillaga 2560 Mission College Blvd. Santa Clara, CA 95054
6	Richard Peery 2560 Mission College Blvd. Santa Clara, CA 95054
7	Richard T. Peery & John Arrillaga 2560 Mission College Blvd. Santa Clara, CA 95054
8	Richard Peery 2560 Mission College Blvd. Santa Clara, CA 95054
9 to 11	Christ Unity Church 9249 Folsom Bl. Sacramento, CA 95826
12	City of Sacramento 915 "I" Street, Room 207 Sacramento, CA 95814
13	Natomas Union School 1515 Sports Dr. Sacramento, CA 95834
14 to 16	Sanwa Bank 601 So Figueroa Street Los Angeles, CA 90017
17 to 18	Psychiatric Hospital Consultants 24502 Pacific Park Drive Laguna Hills, CA 92653
19	Manuel Barandas 4140 Garden Highway Sacramento, CA 95834
20	Mary Eufrazia 2501 Orchard Lane Sacramento, CA 95833
21	Associated Investors 6222 Eastmont Court Carmichael, CA 95608

PROPERTY OWNERS' LIST
CITY OF SACRAMENTO
Willowcreek Assessment District No. 94-03

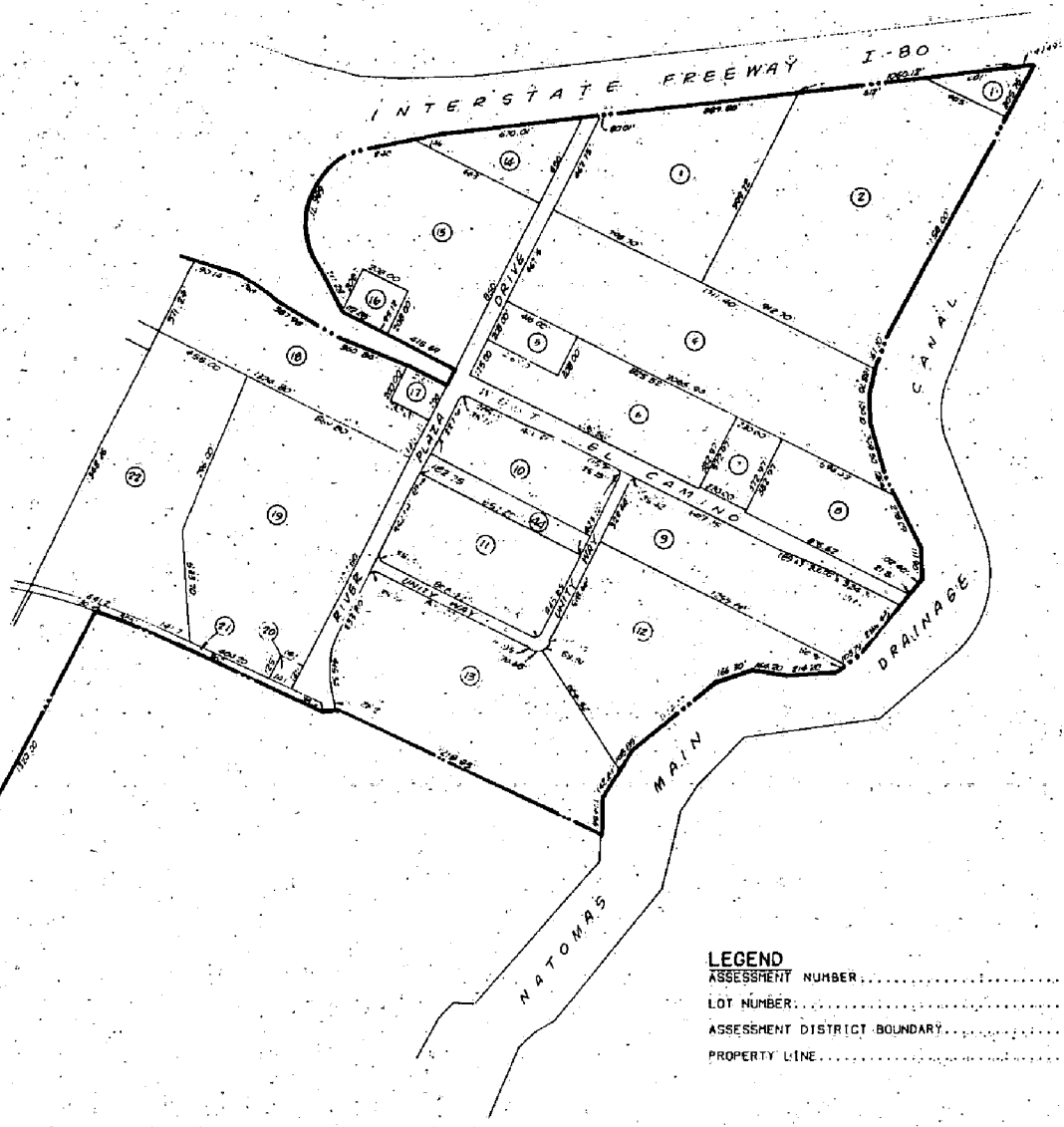
ASSESSMENT NUMBER(S)	NAME AND ADDRESS OF OWNER
22	Manuel Barandas 4140 Garden Highway Sacramento, CA 95834
23 to 25	Jack & Lucille Perry 1830 Garden Highway Sacramento, CA 95833
26 to 27	Psychiatric Hospital Consultants 24502 Pacific Park Drive Laguna Hills, CA 92653
28	Domingas Souza 2700 Orchard Lane Sacramento, CA 95833
29	Associated Investors 6222 Eastmont Court Carmichael, CA 95608
30 to 31	Citation Northern 597 Center Ave. #150 Martinez, CA 94553
32	Perry & Margo Joaquin 2151 El Centro Road Sacramento, CA 95833
33 to 34	Perry Joaquin 2151 El Centro Road Sacramento, CA 95833
35 to 37	Nelson Family Trust 8 Cherry Hills Lane Newport Beach, CA 92660
38	John M. & Kerry M. Giannoni 1420 S. Mills Ave. Lodi, CA 95242
39	Donald D. & Alice E. Parr 2050 Garden Highway Sacramento, CA 95833
40	Associated Investors 6222 Eastmont Court Carmichael, CA 95608

PROPERTY OWNERS' LIST
CITY OF SACRAMENTO
Willowcreek Assessment District No. 94-03

ASSESSMENT NUMBER(S)	NAME AND ADDRESS OF OWNER
41	Sandi Sue Isaac 2072 Garden Highway Sacramento, CA 95833
42	Emory C. & Fern L. Morgan 6222 Eastmont Court Carmichael, CA 95608
43	Ronald P. & Gay T. Costa 2126 Garden Highway Sacramento, CA 95833
44	Christ Unity Church 9249 Folsom Bl. Sacramento, CA 95826

*** END OF LIST ***

SEE SHEET 2 OF 2 SHEETS



ASSESSMENT DIAGRAM
 WILLOWCREEK
 ASSESSMENT DISTRICT NO. 94-03
 (PUMP OUTFALL STRUCTURE)
 CITY OF SACRAMENTO STATE OF CALIFORNIA
 SCALE: 1"=400' 1994
The Splink Corporation
 Sheet 1 of 2 Sheets

CLERK'S MAP FILING STATEMENT
 Filed in the office of the City Clerk of the City of Sacramento, County of Sacramento, State of California, this ___ day of _____, 19__.

Valerie Burrows, City Clerk
 City of Sacramento

SUPERINTENDENT OF STREETS RECORDING STATEMENT
 Recorded in the office of the Superintendent of Streets of the City of Sacramento, County of Sacramento, State of California, this ___ day of _____, 19__.

Superintendent of Streets
 City of Sacramento

CLERK'S CERTIFICATE
 An assessment was levied by the City Council of the City of Sacramento, County of Sacramento, State of California, on the lots, pieces and parcels of land shown on this Assessment Diagram. Said assessment was levied on the ___ day of _____, 19__. Said Assessment Diagram and the Assessment Roll were recorded in the office of the Superintendent of Streets of the City of Sacramento of the ___ day of _____, 19__. Reference is made to the Assessment Roll recorded in the office of the Superintendent to Streets for the exact amount of each assessment levied against each parcel of land shown on this Assessment Diagram.

Valerie Burrows, City Clerk
 City of Sacramento

COUNTY RECORDER'S FILING STATEMENT
 Filed this ___ day of _____, 19__, at the hour of ___ o'clock ___ m., in Book ___ of Maps of Assessment Districts and Community Facilities Districts at Page ___ in the Office of the County Recorder of the County of Sacramento, State of California.

County Recorder of the
 County of Sacramento, California

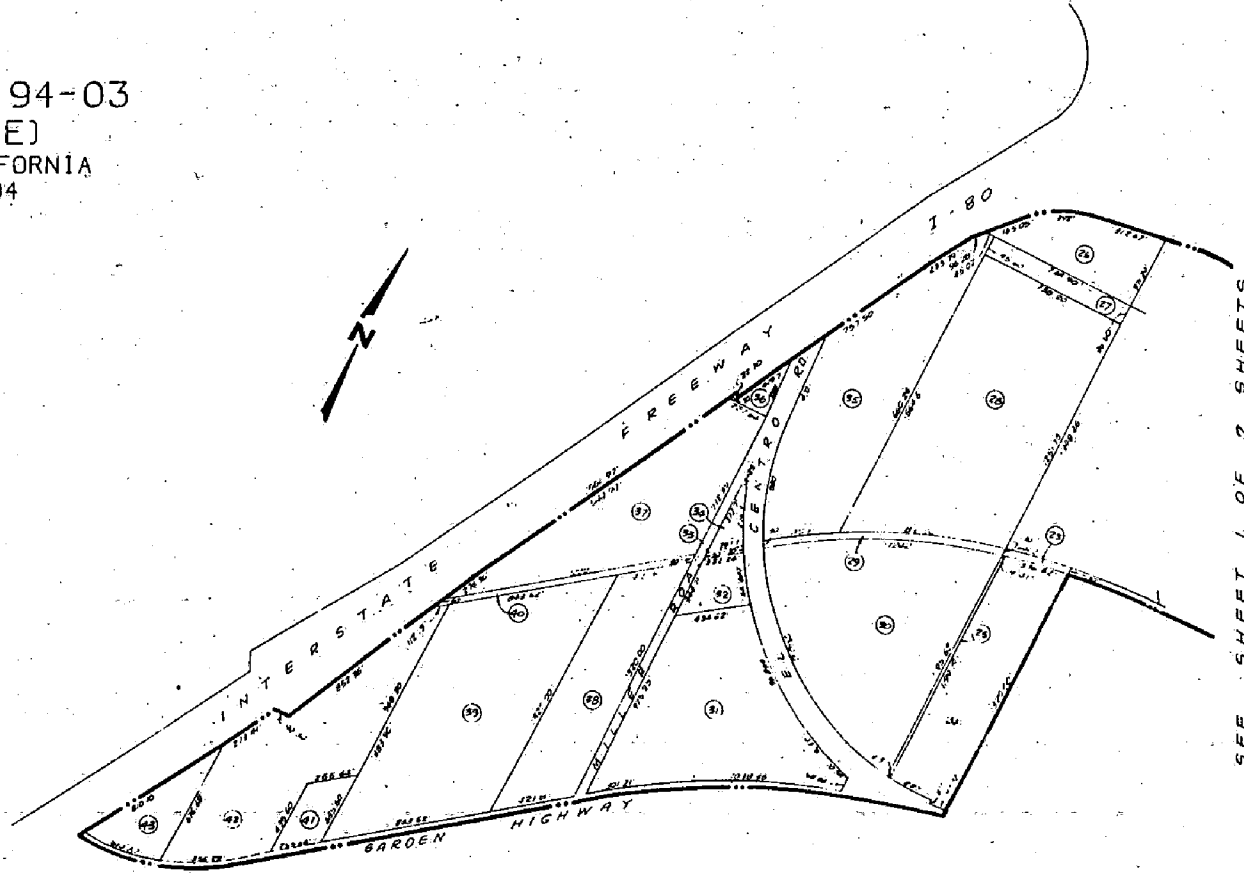
By _____

LEGEND
 ASSESSMENT NUMBER.....②
 LOT NUMBER.....12
 ASSESSMENT DISTRICT BOUNDARY.....
 PROPERTY LINE.....



ASSESSMENT DIAGRAM
WILLOWCREEK
ASSESSMENT DISTRICT NO. 94-03
(PUMP OUTFALL STRUCTURE)
CITY OF SACRAMENTO STATE OF CALIFORNIA
SCALE: 1"=400' 1994

The **Spink** Corporation
Sheet 2 of 2 Sheets



SEE SHEET 1 OF 2 SHEETS

EXHIBIT G

RIGHTS-OF-WAY TO BE ACQUIRED

**DRAINAGE EASEMENT
Pipeline**

JEAN E. DUVAL does hereby grant to the City of Sacramento, a municipal corporation, for the purpose of digging, constructing, reconstructing, repairing and forever maintaining thereon, a drainage pipeline of such dimensions as Grantee shall deem necessary for drainage purposes together with appurtenant structures thereof, a drainage easement over that certain real property in the City of Sacramento, County of Sacramento, State of California, bounded and described as follows, to-wit:

All that portion of Lot 6, as said lot is shown on "Natomas Riverside Subdivision No. 1", the official plat of which is filed in the Office of the Recorder of Sacramento County in Book 15 of Maps, Map No. 26, described as follows:

Beginning at the Northeast corner of Parcel 2, as said parcel is conveyed to JEAN E. DUVAL in that certain Quitclaim Deed recorded in the office of said Recorder in Book 690107 of Official Records, at Page 583; thence from said point of beginning along the Easterly boundary of said Parcel 2 South 00°17'33" East 72.76 feet; thence curving to the left on an arc of 2844.93 feet radius, from a radial bearing of North 16°20'09" West, said arc being subtended by a chord bearing South 73°33'48" West 10.00 feet; thence South 20°19'31" West 108.51 feet; thence South 14°57'26" East 77.48 feet; thence North 75°02'34" East 15.00 feet; thence South 14°57'26" East 18.32 feet to the Southeasterly boundary of said Parcel 2; thence along said Southeasterly boundary South 71°26'54" West 80.16 feet; thence North 14°57'26" West 23.34 feet; thence North 75°02'34" East 15.00 feet; thence North 14°57'26" West 82.52 feet; thence North 03°27'26" West 153.28 feet to the Northwesterly boundary of said Parcel 2; thence along said Northwesterly boundary curving to the right on an arc of 2914.93 feet radius, from a radial bearing of North 18°06'54" West, said arc being subtended by a chord bearing North 72°58'20" East 110.62 feet to the point of beginning.

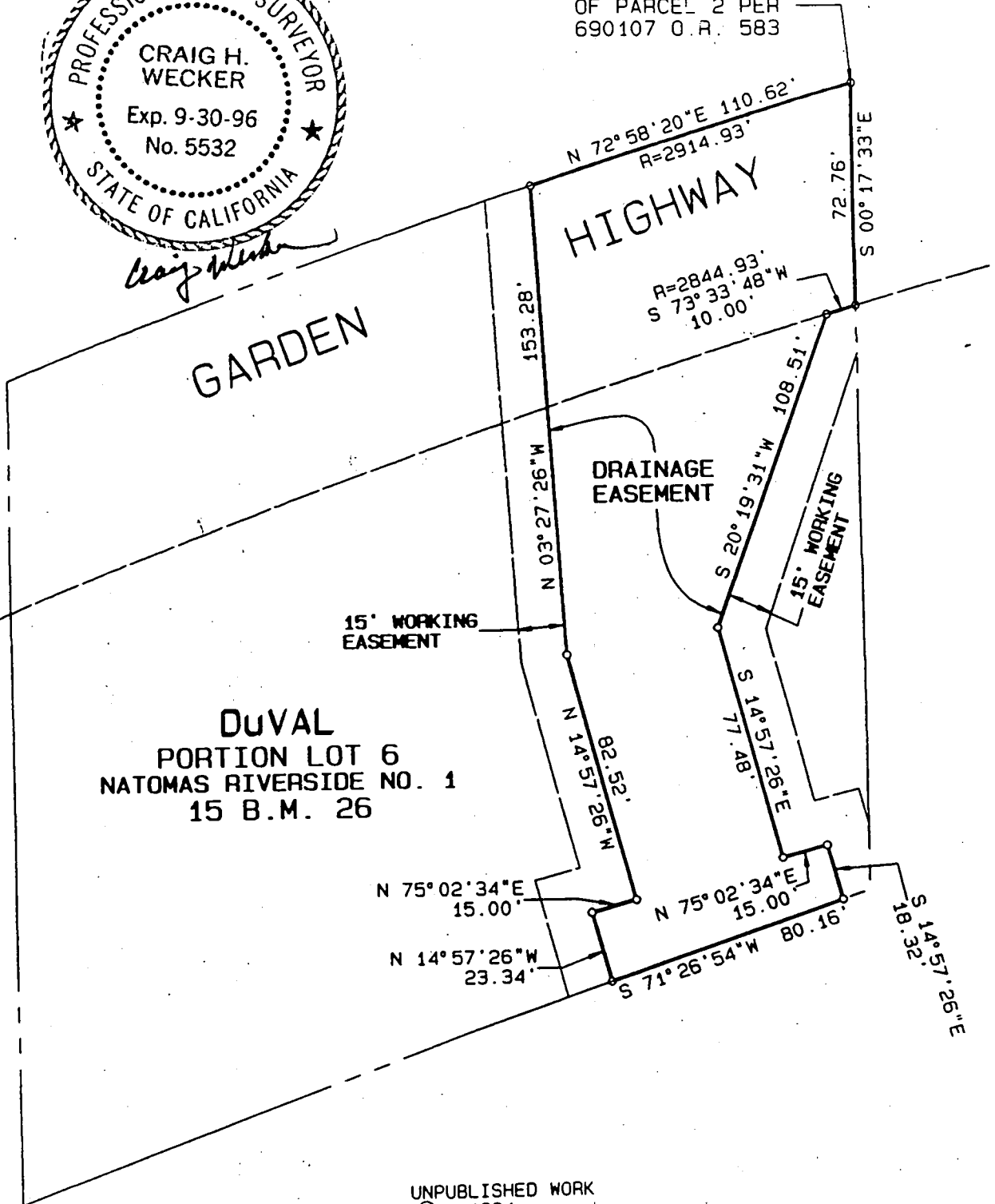
TOGETHER WITH two temporary working easements 15.00 feet in width, one lying contiguous with and Westerly and one lying contiguous with and Easterly of the hereinabove described Drainage Easement.



Craig H. Wecker



P.O.B.
 NORTHEAST CORNER
 OF PARCEL 2 PER
 690107 O.R. 583



DuVAL
 PORTION LOT 6
 NATOMAS RIVERSIDE NO. 1
 15 B.M. 26

UNPUBLISHED WORK
 © 1994
 THE SPINK CORPORATION

781718/2479

TITLE: DRAINAGE EASEMENT
 PORTION OF LOT 6
 15 B.M. 26

CLIENT: CITY OF SACRAMENTO

DATE: 8/94 JOB NO.: 7817-018
 DRAWN BY: J.K. CHECKED BY: C.W.

REVISION

The Spink Corporation

2590 VENTURE OAKS WAY SACRAMENTO, CA 95833
 PHONE: (916)925-5550 FAX: (916)921-9274

SCALE: 1"=50' CODE: K-17 DR. NO.: H-7272

EXHIBIT H

PROPOSED MAXIMUM ANNUAL ASSESSMENT PER PARCEL FOR
CURRENT COSTS AND EXPENSES

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

In the event that the amount provided for in these proceedings is insufficient to pay various costs and expenses incurred from time to time by the City and not otherwise reimbursed which result from the administration and collection of assessment installments or from the administration or registration of the associated 1915 Act bonds and the various funds and accounts pertaining thereto, this Council intends, pursuant to Section 8682.1 and subparagraph (f) of Section 10204 of the California Streets and Highways Code, to impose an annual assessment upon each of the several parcels of land in this assessment district to provide therefor. The maximum amount of such annual assessment to be levied upon each such parcel of land shall be the pro rata share of \$3,000 for the first year plus annual increases, if necessary, in an amount equal to the increase in the United States Department of Labor Consumer Price Index.

CERTIFICATE OF MAILING
NOTICE OF IMPROVEMENT

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

CITY OF SACRAMENTO

The undersigned declares:

On December 15th, 1994, the undersigned mailed a copy of the document entitled Notice of Improvement, attached hereto as Exhibit A, to each owner of real property in Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California, according to the names and addresses of the owners as they appear on the last equalized assessment roll or as known to the undersigned. A list of these property owners is attached hereto as Exhibit B.

Executed at Sacramento, California, on December 15th, 1994.

I declare the foregoing to be true under penalty of perjury.

VALERIE A. BURROWES, City Clerk,
City of Sacramento, Sacramento County,
State of California

By Valerie A. Burrowes

ORIGINAL

[1-5]

Richard T. Peery & John Arrillaga
2560 Mission College Blvd.
Santa Clara, CA 95054

[6]

Richard Peery
2560 Mission College Blvd.
Santa Clara, CA 95054

[7]

Richard T. Peery & John Arrillaga
2560 Mission College Blvd.
Santa Clara, CA 95054

[8]

Richard Peery
2560 Mission College Blvd.
Santa Clara, CA 95054

[9-11]

Christ Unity Church
9249 Folsom Bl.
Sacramento, CA 95826

[12]

City of Sacramento
915 "I" Street, Room 207
Sacramento, CA 95814

[13]

Natomas Union School
1515 Sports Dr.
Sacramento, CA 95834

[14-16]

Sanwa Bank
601 So Figueroa Street
Los Angeles, CA 90017

[17-18]

Psychiatric Hospital Consultants
24502 Pacific Park Drive
Laguna Hills, CA 92653

[19]

Manuel Barandas
4140 Garden Highway
Sacramento, CA 95834

[20]

Mary Eufrazia
2501 Orchard Lane
Sacramento, CA 95833

[21]

Associated Investors
6222 Eastmont Court
Carmichael, CA 95608

[22]

Manuel Barandas
4140 Garden Highway
Sacramento, CA 95834

[23-25]

Jack & Lucille Perry
1830 Garden Highway
Sacramento, CA 95833

[26-27]

Psychiatric Hospital Consultants
24502 Pacific Park Drive
Laguna Hills, CA 92653

[28]

Domingas Souza
2700 Orchard Lane
Sacramento, CA 95833

[29]

Associated Investors
6222 Eastmont Court
Carmichael, CA 95608

[30-31]

Citation Northern
597 Center Ave. #150
Martinez, CA 94553

[32]

Perry & Margo Joaquin
2151 El Centro Road
Sacramento, CA 95833

[33-34]

Perry Joaquin
2151 El Centro Road
Sacramento, CA 95833

NOTICE OF IMPROVEMENT

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The City Council of the City of Sacramento will conduct two public hearings on the Resolution of Intention (adopted December 13, 1994), and the Engineer's Report for the proposed Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California. At the hearings the Council will take public testimony, including protests against the proposed improvement, the extent of the assessment district, or the proposed assessment. The public hearings will be held in the Chambers of the City Council, 915 "I" Street, Sacramento, California:

At 7:00 p.m. on January 24, 1995;
At 7:00 p.m. on January 31, 1995.

The proposed improvement is briefly described as follows:

- A. Preparation of plans and specifications for a future pumping plant and construction of drainage outfall pipelines for the future drainage pumping plant and appurtenances thereto, levee excavation and levee embankment, concrete outfall structure, rip rap, concrete stairway, concrete walk, pavement and pavement replacement, metal beam guard rail, chain link fence, concrete drainage ditch, traffic control, landscaping and revegetation within easements to be acquired on properties adjacent to the intersection of Garden Highway and El Centro Road. The outfall pipelines will be constructed from the future pumping plant to the Sacramento River in easements to be acquired lying within County Assessor parcel numbers, 274-0022-006, 274-0021-012 and 274-0021-005.
- B. The acquisition of all lands, easements, facilities and rights and the performing of all work auxiliary to any of the above and necessary to complete the same.

The total estimated cost of the proposed improvement is \$1,592,278.18.

At the time and place set forth above, the City Council of the City of Sacramento will also hold a public hearing on the public convenience and necessity of the improvement, pursuant to the provisions of Article 16, Section 19 of the California Constitution, without compliance with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

For further particulars you may refer to the Resolution of Intention and the Report on file with the City Clerk at 915 "I" Street, Sacramento, CA. Inquiries about the improvement proceedings will be answered by Ron Wicky, Engineer of Work; telephone (916) 264-7113.

In the event that the amount provided for in these proceedings is insufficient to pay various costs and expenses incurred from time to time by the City and not otherwise reimbursed which result from the administration and collection of assessment installments or from the administration or registration of the associated 1915 Act bonds and the various funds and accounts pertaining thereto, this Council intends, pursuant to Section 8682.1 and subparagraph (f) of Section 10204 of the California Streets and Highways Code, to impose an annual assessment upon each of the several parcels of land in this assessment district to provide therefor. The maximum amount of such annual assessment to be levied upon each such parcel of land shall be the pro rata share of \$3,000 for the first year plus annual increases, if necessary, in an amount equal to the increase in the United States Department of Labor Consumer Price Index.

Any interested person may file a written protest with the City Clerk at the address given above, at or before the time set for the second hearing. Each protest must contain a description of the property in which the signer is interested, sufficient to identify the property. If owners of more than 50% (by area) of the land subject to assessment file written protests, and if protests are not reduced by withdrawal during the hearings to less than a majority, the project will be abandoned unless the City Council overrules the protests by a 4/5th vote of its membership:

DATED: December 13, 1994

VALERIE A. BURROWES, City Clerk,
City of Sacramento,
Sacramento County, California

The total estimated amount of the assessment against your property is as follows:

Assessment & Diagram No.
Assessor's Parcel No.
Amount of Assessment:

[35-37]

Nelson Family Trust
8 Cherry Hills Lane
Newport Beach, CA 92660

[38]

John M. & Kerry M. Giannoni
1420 S. Mills Ave.
Lodi, CA 95242

[39]

Donald D. & Alice E. Parr
2050 Garden Highway
Sacramento, CA 95833

[40]

Associated Investors
6222 Eastmont Court
Carmichael, CA 95608

[41]

Sandi Sue Isaac
2072 Garden Highway
Sacramento, CA 95833

[42]

Emory C. & Fern L. Morgan
6222 Eastmont Court
Carmichael, CA 95608

[43]

Ronald P. & Gay T. Costa
2126 Garden Highway
Sacramento, CA 95833

[44]

Christ Unity Church
9249 Folsom Bl.
Sacramento, CA 95826

CERTIFICATE OF POSTING AT CHAMBER DOOR
WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The undersigned declares:

On Dec. 19th, 199~~5~~⁴, the undersigned posted a copy of the Notice of Improvement for Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California, on or near the Chamber Door of the City Council of the City of Sacramento, for a period of ten days prior to January 31, 1995. A copy of said notice is attached hereto as Exhibit A.

Executed at Sacramento, California, this 13th day of January,
1995.

I declare the foregoing to be true under penalty of perjury.

VALERIE A. BURROWES, City Clerk,
City of Sacramento,
Sacramento County, California

By Valerie A. Burrowes

ORIGINAL

95 03 17 0826

OFFICIAL RECORDS
SACRAMENTO COUNTY, CALIF.

95 MAR 17 AM 10:26

[Signature]
COUNTY CLERK-RECORDER

titles	1	total fee F	
pages	3	\$15-	
xchrg		pcor	dtt city code
other	2.00	lien not.	

RECORDING REQUESTED BY:
VALERIE BURROWES, City Clerk
City of Sacramento
915 I Street, Room 304
Sacramento, CA 95814

AND WHEN RECORDED RETURN TO:
RON WICKY, Special Districts Analyst
City of Sacramento
915 I Street, Room 200
Sacramento, CA 95814

NOTICE OF ASSESSMENT
WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

Pursuant to the requirements of Section 3114 of the Streets and Highways Code of the State of California, the undersigned 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 in said Section, and relating to the following described property:

The lots, pieces or parcels of land as shown on the Assessment Diagram for Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California, which was filed for record in the office of the County Recorder of the County of Sacramento on the 17th day of March, 1995, in Book 80 of Maps of Assessment and Community Facilities Districts at Page 26 thereof.

NOTICE IS FURTHER GIVEN that upon the recording of this notice in the office of the County Recorder, the several assessments assessed upon the lots, pieces or parcels of land shall become a lien upon the lots or portions of lots assessed, respectively.

Reference is made to the Assessment Diagram hereinabove referred to and the Assessment Roll recorded in the office of the Superintendent of Streets of said City of Sacramento on the 17th day of March, 1995. Said Assessment Roll recorded in the office of the Superintendent of Streets is referred to to determine the amount of each assessment levied against each parcel of land shown upon the assessment diagram.

A list of the name or names of the assessed owners as they appear on the latest secured assessment roll, or as known to the City Clerk, is attached hereto and made a part hereof, together with a list of the amount of the assessment levied against each parcel of land.

Dated: March 17, 1995

VALERIE BURROWES, City Clerk
City of Sacramento,
Sacramento County, California

By *[Signature]*

ORIGINAL

ASSESSMENT ROLL

CITY OF SACRAMENTO

Willowcreek Assessment District No. 94-03

Diagram Number	Assessment Amount	Assessor's Parcel Number	Owner
1	\$ 6,304.80	225-0220-037	Richard T. Peery & John Arrillaga
2	114,837.37	225-0220-072	Richard T. Peery & John Arrillaga
3	59,895.57	225-0220-071	Richard T. Peery & John Arrillaga
4	86,465.78	225-0220-006	Richard T. Peery & John Arrillaga
5	8,556.51	225-0220-030	Richard T. Peery & John Arrillaga
6	39,630.15	225-0220-066	Richard Peery
7	8,871.75	225-0220-068	Richard T. Peery & John Arrillaga
8	32,424.67	225-0220-067	Richard Peery
9	48,637.00	274-0440-002	Christ Unity Church
10	31,974.33	274-0440-001	Christ Unity Church
11	40,080.49	274-0440-003	Christ Unity Church
12	0.00	274-0440-004	City of Sacramento
13	0.00	274-0440-005	Natomas Union School
14	16,752.75	225-0220-040	Sanwa Bank
15	70,703.79	225-0220-064	Sanwa Bank
16	4,368.32	225-0220-065	Sanwa Bank
17	4,053.08	225-0220-059	Psychiatric Hospital Consultants
18	45,484.60	225-0220-058	Psychiatric Hospital Consultants
19	99,075.38	274-0030-035	Manuel Barandas
20	1,351.03	274-0030-036	Mary Eufrazia
21	0.00	274-0030-059	Associated Investors
22	72,505.16	274-0030-003	Manuel Barandas
23	0.00	274-0022-010	Jack & Lucille Perry
24	43,007.72	274-0022-007	Jack & Lucille Perry
25	0.00	274-0022-004	Jack & Lucille Perry
26	21,616.45	225-0220-053	Psychiatric Hospital Consultants
27	7,205.48	274-0030-031	Psychiatric Hospital Consultants
28	107,181.54	274-0030-030	Domingas Souza
29	0.00	274-0022-009	Associated Investors
30	84,889.58	274-0022-006	Citation Northern
31	75,882.73	274-0021-012	Citation Northern
32	9,186.99	274-0021-013	Perry & Margo Joaquin
33	0.00	274-0021-011	Perry Joaquin
34	3,602.74	274-0030-064	Perry Joaquin
35	75,207.22	274-0030-044	Nelson Family Trust

NOTICE OF IMPROVEMENT

WILLOWCREEK ASSESSMENT DISTRICT NO. 94-03

The City Council of the City of Sacramento will conduct two public hearings on the Resolution of Intention (adopted December 13, 1994), and the Engineer's Report for the proposed Willowcreek Assessment District No. 94-03, City of Sacramento, County of Sacramento, State of California. At the hearings the Council will take public testimony, including protests against the proposed improvement, the extent of the assessment district, or the proposed assessment. The public hearings will be held in the Chambers of the City Council, 915 "I" Street, Sacramento, California:

At 7:00 p.m. on January 24, 1995;
At 7:00 p.m. on January 31, 1995.

The proposed improvement is briefly described as follows:

- A. Preparation of plans and specifications for a future pumping plant and construction of drainage outfall pipelines for the future drainage pumping plant and appurtenances thereto, levee excavation and levee embankment, concrete outfall structure, rip rap, concrete stairway, concrete walk, pavement and pavement replacement, metal beam guard rail, chain link fence, concrete drainage ditch, traffic control, landscaping and revegetation within easements to be acquired on properties adjacent to the intersection of Garden Highway and El Centro Road. The outfall pipelines will be constructed from the future pumping plant to the Sacramento River in easements to be acquired lying within County Assessor parcel numbers, 274-0022-006, 274-0021-012 and 274-0021-005.
- B. The acquisition of all lands, easements, facilities and rights and the performing of all work auxiliary to any of the above and necessary to complete the same.

The total estimated cost of the proposed improvement is \$1,592,278.18.

At the time and place set forth above, the City Council of the City of Sacramento will also hold a public hearing on the public convenience and necessity of the improvement, pursuant to the provisions of Article 16, Section 19 of the California Constitution, without compliance with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

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DATED: December 13, 1994

VALERIE A. BURROWES, City Clerk,
City of Sacramento,
Sacramento County, California

EXHIBIT A

ASSESSMENT ROLL

CITY OF SACRAMENTO
Willowcreek Assessment District No. 94-03

Diagram Number	Assessment Amount	Assessor's Parcel Number	Owner
36	\$ 2,341.78	274-0010-073	Nelson Family Trust
37	56,743.17	274-0010-078	Nelson Family Trust
38	43,683.23	274-0220-050	John M. & Kerry M. Giannoni
39	87,366.47	274-0220-051	Donald D. & Alice E. Parr
40	0.00	274-0220-049	Associated Investors
41	11,708.91	274-0220-017	Sandi Sue Isaac
42	62,597.62	274-0220-052	Emory C. & Fern L. Morgan
43	14,861.33	274-0220-047	Ronald P. & Gay T. Costa
44	6,755.14	274-0440-006	Christ Unity Church
<hr/>			
TOTAL:	\$ 1,505,810.63		