

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Public Works *anbm*

BOARD AGENDA # *C-3

Urgent Routine

AGENDA DATE January 15, 2008

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Set a Public Hearing and Conduct a Ballot Procedure in Compliance with Proposition 218 on March 4, 2008, at 9:15 A.M., Regarding the Formation of the Salida Boulevard Landscape and Lighting District and the Levy of an Annual Assessment

STAFF RECOMMENDATIONS:

1. Set a Public Hearing and conduct a ballot procedure in compliance with Proposition 218 on March 4, 2008, at 9:15 A.M., or as soon thereafter as the matter may be heard, regarding the formation of the Salida Boulevard Landscape and Lighting District and the Levy of an Annual Assessment.
2. Approve the Engineer's Report for the Salida Boulevard Landscape and Lighting District.
3. Authorize an assessment ballot procedure in conformance with Proposition 218 for the formation of the Salida Boulevard Landscape and Lighting District.

(Continued on Page 2)

FISCAL IMPACT:

The cost of the formation of the District will be borne by the Department of Public Works. The on-going administrative costs of managing the District are estimated to be 3% of the total maintenance costs or \$1,800 for the first year of District operation. These costs include, but are not limited to, such expenses as staff time for the day to day operations of overseeing a contract with a landscape maintenance firm, accounting, and the preparation of the annual Engineer's Report and agenda items relating to the Board setting the annual assessments. If a balance of administrative funds exists at the end of the fiscal year, the balance will be transferred to a fund to establish an operational reserve. The operational reserve would pay for unexpected or emergency expenses incurred by the District that were neither contemplated nor estimated as part of the District operation and maintenance costs.

BOARD ACTION AS FOLLOWS:

No. 2008-044

On motion of Supervisor Monteith, Seconded by Supervisor Grover

and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, DeMartini, and Chairman Mayfield

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. DLA-4-2

Approval to Set a Public Hearing and Conduct a Ballot Procedure in Compliance with Proposition 218 on March 4, 2008, at 9:15 A.M., Regarding the Formation of the Salida Boulevard Landscape and Lighting District and the Levy of an Annual Assessment

STAFF RECOMMENDATIONS CONTINUED:

4. Order that notice of the Public Hearing be given pursuant to Government Code Section 53753(b), Streets and Highways Code Section 22552, and Streets and Highways Code Section 22588.

FISCAL IMPACT CONTINUED:

If administrative costs are more than estimated, additional revenue will be needed the next fiscal year to make up for the deficiency. If the District is formed, the cost of managing and operating it will be the fiscal responsibility of the property owners within the District that are receiving the benefits. Therefore, the District will incur the expense of Public Works staff time involved with the additional workload of administrating this District.

If the Salida Boulevard Landscape and Lighting District is formed, an annual assessment will be levied on each parcel within the District. The annual assessment may increase or decrease depending upon the amount of revenue that is required to be generated. The total revenue needed for the District during Fiscal Year 2008/2009 is estimated at \$61,800. Because assessments are calculated based on parcel size and amount of street frontage, an assessment per parcel can vary from a low of approximately \$247 for a 1,742 square foot (0.04 acres) parcel with no street frontage to a high of \$4,271 for a 5.82 acre parcel with 650 feet of frontage. Of the 52 parcels, 48% have assessments that are below \$1,000, 29% have assessments between \$1,000 and \$1,500, and the remaining 23% have assessments above \$1,500. An annual assessment of \$1,500 is equivalent to \$125 per month for landscaping and irrigation system maintenance including water costs.

The proposed District is being formed to generate revenue to pay for the maintenance of landscaping and the irrigation system that would be installed as part of the \$2,800,000 improvement project for Salida Boulevard scheduled for construction in summer 2008. If a majority of property owners casting ballots protest the formation of the District thereby cancelling its formation, the anticipated revenue source for maintenance would be eliminated. No alternative source of money for generating the required revenue has been identified. If the District is not formed, the County may re-evaluate the need and scope of the landscaping as part of the overall improvement project due to the lack of maintenance funds. If the District is formed, and for some unforeseen reason the improvement project is delayed for a year or so, no revenue would be required, and therefore, no annual assessments would be levied on parcels during FY 2009/2010 or beyond until the improvement project is constructed. The annual assessments collected for FY 2008/2009 would be utilized to pay for the first year of maintenance if, in the unlikely event, the project were delayed.

DISCUSSION:

For some time there has been an expressed need on the part of several property owners of businesses along Salida Boulevard to have landscaping installed in order to enhance the aesthetics of the area and make it more attractive. The Stanislaus County Redevelopment Agency and the Department of Public Works acknowledged this need and have incorporated this feature into the Salida Boulevard Improvement Project. As part of the installation of the landscaping and irrigation system, discussions occurred as to how to maintain these amenities. It was concluded that a landscape and lighting district needed to be formed in order to accomplish the task of paying for the maintenance of the landscaping and irrigation system. Therefore, to accomplish this objective, the formation of the Salida Boulevard Landscape and Lighting District (hereinafter called "District") is proposed. The formation of the District, pursuant to the Landscaping and Lighting Act of 1972 (Government Code sections 22500 et seq.), will provide a means for the continued maintenance of the landscaping and irrigation system along the boulevard.

Approval to Set a Public Hearing and Conduct a Ballot Procedure in Compliance with Proposition 218 on March 4, 2008, at 9:15 A.M., Regarding the Formation of the Salida Boulevard Landscape and Lighting District and the Levy of an Annual Assessment

Proposition 218, approved by California voters, took effect on July 1, 1997 and requires an assessment ballot procedure before an assessment may be levied on the parcels within the proposed boundary of the District.

On December 18, 2007, the Board of Supervisors adopted a resolution that ordered the County Engineer to prepare and file an Engineer's Report in accordance with Article 4 (commencing with Section 22565) of Chapter 1, Part 2, Division 15 of the Streets and Highways Code. Said Engineer's Report has been filed with the Clerk of the Board and is made a part of this action.

There are 52 parcels within the proposed District, however, not all parcels will derive the same benefit from the landscaping. Parcels fronting on or having more frontage than other parcels will receive more benefit from the landscaping. For this reason, it was determined that a method to calculate the annual assessment needed to be based on three criteria: (1) Parcel Share Criteria that any parcel within the District would be assessed;(2) Parcel Size Criteria based on the amount of acreage per the Stanislaus County Assessor's Map; and (3) Parcel Frontage Criteria based on the total amount of linear feet of frontage along Salida Boulevard and Cloutier Drive including the chord distance of an intersecting road. This method to calculate the annual assessment for each parcel involves a 5-step calculation process, which is explained in detail within the Engineer's Report. The method is proposed as part of the assessment ballot procedure and, if approved, would allow annual assessments to be increased or decreased without another ballot procedure being required. The method to calculate the assessments would be used indefinitely.

The formation of the proposed District is a culmination of a community outreach program for the improvement and beautification of Salida Boulevard. The Stanislaus County Redevelopment Agency and the Department of Public Works participated in community meetings held on October 25 and December 15, 2006 and June 6, 2007 to discuss the improvement project. Additionally, information regarding the improvement project has been shared with residents through the Salida Municipal Advisory Council regular meetings. The proposed District is the funding mechanism for providing the maintenance of the landscaping associated with the Salida Boulevard Improvement Project.

The proposed boundary of the District is described and shown on the attached Exhibits "A" and "B".

POLICY ISSUES:

The Board should determine if this action is consistent with the Board's priorities of providing a safe community and a healthy community.

STAFFING IMPACT:

The Department of Public Works is handling the additional workload of forming this District with existing staff.

RC/MM/RM:lc

(H:\SERVICES\SALIDA BOULEVARD LLD - Set Hearing & Approve Ballot Procedure.BS.rc)

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Date: January 15, 2008

No. 2008-044

On motion of Supervisor Monteith Seconded by Supervisor Grover

and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, DeMartini, and Chairman Mayfield

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

THE FOLLOWING RESOLUTION WAS ADOPTED:

Item # C-3

**APPROVAL TO ADOPT A RESOLUTION ORDERING FORMATION OF THE SALIDA BOULEVARD
LANDSCAPE AND LIGHTING DISTRICT**

BE IT RESOLVED, that the Board of Supervisors, of the County of Stanislaus, State of California, hereby finds and determines as follows:

1. There is a need on the part of the property owners along Salida Boulevard to have the County install landscaping within the Salida Boulevard corridor in order to enhance the aesthetics of the area and make it more attractive for businesses.
2. There is a need on the part of Stanislaus County to have proposed landscaping maintained and paid for by the property owners that benefit from the installation of such landscaping. To accomplish that objective, the Board proposes to form an assessment district pursuant to the Landscaping and Lighting Act of 1972 (Government Code Sections 22500 et seq).
3. The assessment district shall consist of all that land shown on the attached map (Exhibit A), and shall be called the "Salida Boulevard Landscape and Lighting District" (hereafter, the "District").
4. The improvements to be maintained within the District include landscaping consisting of trees and ground cover along with an irrigation system to support the landscaping.

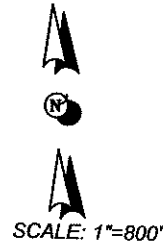
BE IT FURTHER RESOLVED, that the County Engineer is ordered to prepare and file a report in accordance with Article 4 (commencing with Section 22565) of Chapter 1, Part 2, Division 15 of the Streets and Highways Code.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
Stanislaus County Board of Supervisors,
State of California

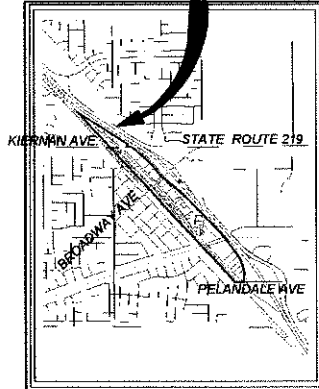


SALIDA BOULEVARD LANDSCAPE AND LIGHTING DISTRICT

EXHIBIT "A"

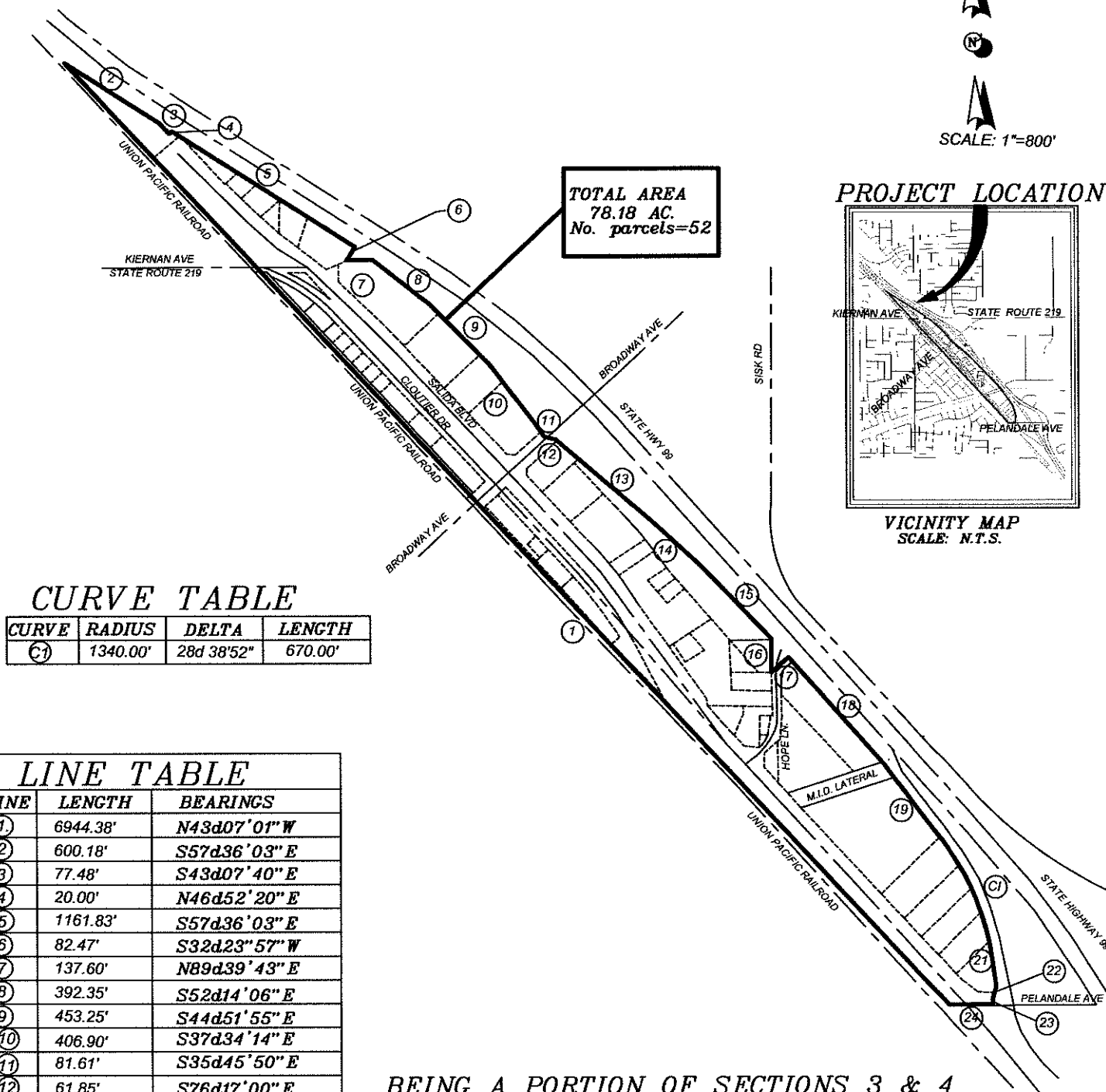


PROJECT LOCATION



VICINITY MAP
SCALE: N.T.S.

TOTAL AREA
78.18 AC.
No. parcels=52



CURVE TABLE

| CURVE | RADIUS | DELTA | LENGTH |
|-------|----------|------------|---------|
| C1 | 1340.00' | 28d 38'52" | 670.00' |

LINE TABLE

| LINE | LENGTH | BEARINGS |
|------|----------|--------------|
| ① | 6944.38' | N43d07'01" W |
| ② | 600.18' | S57d36'03" E |
| ③ | 77.48' | S43d07'40" E |
| ④ | 20.00' | N46d52'20" E |
| ⑤ | 1161.83' | S57d36'03" E |
| ⑥ | 82.47' | S32d23'57" W |
| ⑦ | 137.60' | N89d39'43" E |
| ⑧ | 392.35' | S52d14'06" E |
| ⑨ | 453.25' | S44d51'55" E |
| ⑩ | 406.90' | S37d34'14" E |
| ⑪ | 81.61' | S35d45'50" E |
| ⑫ | 61.85' | S76d17'00" E |
| ⑬ | 669.70' | S49d36'34" E |
| ⑭ | 380.89' | S47d32'06" E |
| ⑮ | 533.38' | S43d40'28" E |
| ⑯ | 181.39' | S00d09'56" E |
| ⑰ | 123.88' | N48d23'09" E |
| ⑱ | 770.00' | S41d36'51" E |
| ⑲ | 546.43' | S37d09'59" E |
| ⑳ | 148.82' | S08d05'30" E |
| ㉑ | 70.14' | S15d44'33" E |
| ㉒ | 30.00' | S00d26'57" E |
| ㉓ | 234.73' | S89d33'03" W |

BEING A PORTION OF SECTIONS 3 & 4
TOWNSHIP 3 SOUTH, RANGE 8 EAST &
SECTIONS 33 AND 34 OF TOWNSHIP 2
SOUTH, RANGE 8 EAST M.D.B.M



| | | | |
|-------------|------|--------------|----------|
| DRAWN BY: | NCW | DATE: | 12/13/07 |
| CHECKED BY: | LF | DRAWING NO.: | SALIDA |
| PR. NO.: | 2612 | SHEET | 1 OF 1 |

EXHIBIT "B"

SALIDA BOULEVARD LANDSCAPE AND LIGHTING DISTRICT

All those portions of sections 3 and 4 of Township 3 South, Range 8 East and Sections 33 and 34 of Township 2 South, Range 8 East, Mount Diablo Base and Meridian, more particularly described as follows:

Commencing at the Northwestern corner of the Beckwith No. 1 Addition to the City of Modesto filed as Instrument # 54524 on June 19, 1973, said point being on the Southwesterly right-of-way of the Union Pacific Railroad. Thence, North 89°33'03" E 136.00 to a point on the Northeasterly right-of-way of said Union Pacific Rail Road and being the True Point of Beginning of this description. Thence (1) North 43°07'01" West, 6944.38 feet along said Northeasterly railroad right-of-way to a point on the Westerly right-of-way of California State Route 99.

Thence along said Westerly right-of-way The following 21 courses;

Thence, (2) South 57°36'03" East, 600.18'
Thence, (3) South 43°07'40" East, 77.48'
Thence, (4) North 46°52'20" East, 20.00'
Thence, (5) South 57°36'03" East, 1161.83'
Thence, (6) South 32°23'57" West, 82.47'
Thence, (7) North 89°39'43" East, 137.60'
Thence, (8) South 52°14'06" East, 392.35'
Thence, (9) South 44°51'55" East, 453.25'
Thence, (10) South 37°34'14" East, 406.90'
Thence, (11) South 35°45'50" East, 81.61'
Thence, (12) South 76°17'00" East, 61.85'
Thence, (13) South 49°36'34" East, 669.70'
Thence, (14) South 47°32'06" East, 380.89'
Thence, (15) South 43°40'28" East, 533.38'
Thence, (16) South 0°09'56" East, 181.39'
Thence, (17) North 48°23'09" East, 123.88'
Thence, (18) South 41°36'51" East, 770.00'
Thence, (19) South 37°09'59" East, 546.43'

Thence (20) Though a curve to the left, concaved to the Southwest, with a central angle of 28°38'52", a radius of 1340.00' feet and a chord distance of 663.04 feet, thence along said curve an arc length of 670.00'

Thence, (21) South 8°05'30" East, 148.82'
Thence, (22) South 15°44'33" West 70.14'

Thence (23) leaving said Westerly right-of-way of California State Route 99, South $0^{\circ}26'57''$ East, 30.00' feet to a point on the center line of Pelandale Avenue, also being a point on the said Beckwith No. 1 Addition to the City of Modesto.

Thence (24) South $89^{\circ}33'03''$ West, 234.73' along said centerline and city limit line to the true point of beginning and containing 78.18 acres of land more or less.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the described land.

Exhibit "C" Assessment Calculations

| APN | Est Existing Acres | Est. Existing Square Footage | Est. Frontage | Parcel Size 20% | Parcel Share 20% | Frontage 60% | Annual Assessment |
|-------------|---------------------------|-------------------------------------|----------------------|------------------------|-------------------------|---------------------|--------------------------|
| 135-041-009 | 0.31 | 13,503.60 | - | \$75.41 | \$237.69 | 0.00 | \$313.10 |
| 135-041-010 | 0.31 | 13,503.60 | - | \$75.41 | \$237.69 | 0.00 | \$313.10 |
| 135-041-011 | 0.58 | 25,264.80 | - | \$141.09 | \$237.69 | 0.00 | \$378.78 |
| 135-041-012 | 0.49 | 21,344.40 | - | \$119.20 | \$237.69 | 0.00 | \$356.89 |
| 135-041-015 | 0.12 | 5,227.20 | - | \$29.19 | \$237.69 | 0.00 | \$266.88 |
| 135-041-016 | 0.04 | 1,742.40 | - | \$9.73 | \$237.69 | 0.00 | \$247.42 |
| 135-041-018 | 0.21 | 9,147.60 | - | \$51.08 | \$237.69 | 0.00 | \$288.78 |
| 135-041-019 | 0.22 | 9,583.20 | - | \$53.52 | \$237.69 | 0.00 | \$291.21 |
| 135-041-029 | 2.99 | 130,244.40 | - | \$727.35 | \$237.69 | 0.00 | \$965.04 |
| 135-041-033 | 3.95 | 172,062.00 | - | \$960.87 | \$237.69 | 0.00 | \$1,198.57 |
| 135-029-032 | 5.82 | 253,519.20 | 650.33 | \$1,415.77 | \$237.69 | 2618.13 | \$4,271.59 |
| 135-029-036 | 0.88 | 38,332.80 | 158.40 | \$214.07 | \$237.69 | 637.69 | \$1,089.45 |
| 135-029-037 | 1.06 | 46,173.60 | 150.00 | \$257.85 | \$237.69 | 603.88 | \$1,099.42 |
| 135-029-049 | 1.34 | 58,370.40 | 134.60 | \$325.97 | \$237.69 | 541.88 | \$1,105.54 |
| 135-029-050 | 1.91 | 83,199.60 | 180.00 | \$464.63 | \$237.69 | 724.65 | \$1,426.97 |
| 135-029-051 | 1.16 | 50,529.60 | 151.00 | \$282.18 | \$237.69 | 607.90 | \$1,127.78 |
| 135-041-004 | 1.71 | 74,487.60 | 214.86 | \$415.97 | \$237.69 | 864.99 | \$1,518.66 |
| 135-041-005 | 0.44 | 19,166.40 | 80.00 | \$107.03 | \$237.69 | 322.07 | \$666.79 |
| 135-041-013 | 0.37 | 16,117.20 | 208.76 | \$90.01 | \$237.69 | 840.44 | \$1,168.13 |
| 135-041-014 | 0.62 | 27,007.20 | 79.20 | \$150.82 | \$237.69 | 318.85 | \$707.36 |
| 135-041-017 | 0.26 | 11,325.60 | 107.03 | \$63.25 | \$237.69 | 430.89 | \$731.83 |
| 135-041-024 | 2.32 | 101,059.20 | 175.28 | \$564.36 | \$237.69 | 705.65 | \$1,507.70 |
| 135-041-030 | 2.49 | 108,464.40 | 75.59 | \$605.72 | \$237.69 | 304.31 | \$1,147.72 |
| 135-041-031 | 0.91 | 39,639.60 | 125.00 | \$221.37 | \$237.69 | 503.23 | \$962.29 |
| 135-041-032 | 1.20 | 52,272.00 | 235.00 | \$291.91 | \$237.69 | 946.07 | \$1,475.68 |
| 135-041-034 | 2.29 | 99,752.40 | 472.04 | \$557.06 | \$237.69 | 1900.36 | \$2,695.12 |
| 135-045-033 | 2.53 | 110,206.80 | 519.09 | \$615.45 | \$237.69 | 2089.78 | \$2,942.92 |
| 135-045-055 | 2.04 | 88862.40 | 357.01 | \$496.25 | \$237.69 | 1437.27 | \$2,171.21 |
| 135-045-056 | 1.83 | 79,714.80 | 264.04 | \$445.16 | \$237.69 | 1062.99 | \$1,745.84 |
| 135-045-057 | 1.14 | 49,658.40 | 189.52 | \$277.32 | \$237.69 | 762.98 | \$1,277.99 |
| 136-007-016 | 0.44 | 19,166.40 | 660.00 | \$107.03 | \$237.69 | 2657.06 | \$3,001.79 |
| 136-007-017 | 0.28 | 12,196.80 | 114.37 | \$68.11 | \$237.69 | 460.44 | \$766.24 |
| 136-007-018 | 0.45 | 19,602.00 | 137.67 | \$109.47 | \$237.69 | 554.24 | \$901.40 |
| 136-007-019 | 0.21 | 9,147.60 | 150.00 | \$51.08 | \$237.69 | 603.88 | \$892.65 |
| 136-007-020 | 1.08 | 47,044.80 | 660.01 | \$262.72 | \$237.69 | 2657.10 | \$3,157.51 |
| 136-017-005 | 0.59 | 25,700.40 | 97.69 | \$143.52 | \$237.69 | 393.29 | \$774.50 |
| 136-017-016 | 1.34 | 58,370.40 | 191.90 | \$325.97 | \$237.69 | 772.56 | \$1,336.22 |

Exhibit "C" Assessment Calculations

| APN | Est Existing Acres | Est. Existing Square Footage | Est. Frontage | Parcel Size 20% | Parcel Share 20% | Frontage 60% | Annual Assessment |
|--|---------------------------|-------------------------------------|----------------------|------------------------|-------------------------|---------------------|--------------------------|
| 135-047-023 | 0.14 | 6,098.40 | 102.55 | \$34.06 | \$237.69 | 412.85 | \$684.60 |
| 135-047-033 | 0.41 | 17,859.60 | 197.45 | \$99.74 | \$237.69 | 794.90 | \$1,132.33 |
| 135-048-028 | 0.73 | 31,798.80 | 452.00 | \$177.58 | \$237.69 | 1819.68 | \$2,234.96 |
| 135-045-045 | 0.45 | 19,602.00 | 229.00 | \$109.47 | \$237.69 | 921.92 | \$1,269.08 |
| 135-045-046 | 0.36 | 15,681.60 | 176.00 | \$87.57 | \$237.69 | 708.55 | \$1,033.82 |
| 135-045-047 | 0.27 | 11,761.20 | 278.01 | \$65.68 | \$237.69 | 1119.23 | \$1,422.60 |
| 135-045-048 | 0.28 | 12,196.80 | 150.68 | \$68.11 | \$237.69 | 606.61 | \$912.42 |
| 135-045-049 | 0.14 | 6,098.40 | 75.00 | \$34.06 | \$237.69 | 301.94 | \$573.69 |
| 135-045-050 | 0.14 | 6,098.40 | 75.00 | \$34.06 | \$237.69 | 301.94 | \$573.69 |
| 135-045-051 | 0.14 | 6,098.40 | 75.00 | \$34.06 | \$237.69 | 301.94 | \$573.69 |
| 135-045-052 | 0.15 | 6,534.00 | 75.00 | \$36.49 | \$237.69 | 301.94 | \$576.12 |
| 135-045-053 | 0.15 | 6,534.00 | 75.00 | \$36.49 | \$237.69 | 301.94 | \$576.12 |
| 135-045-054 | 0.14 | 6,098.40 | 72.80 | \$34.06 | \$237.69 | 293.08 | \$564.83 |
| 135-047-001 | 0.69 | 30,056.40 | 334.60 | \$167.85 | \$237.69 | 1347.05 | \$1,752.59 |
| 135-047-032 | 0.69 | 30,056.40 | 304.00 | \$167.85 | \$237.69 | 1223.86 | \$1,629.40 |
| 50.81 2,213,283.60 9210.48 \$ 12,360.00 12,360.00 37080.00 \$ 61,800.00 | | | | | | | |

**ENGINEER'S REPORT FOR THE SALIDA LANDSCAPE AND LIGHTING DISTRICT
FISCAL YEAR 2008/2009**

Exhibit "D"

The Assessor's Parcels listed below are subject to the Fiscal Year 2008/2009 annual assessment:

| <u>Assessor's Parcel No.</u> | <u>Assessment</u> |
|------------------------------|-------------------|
| 135-029-032 | \$4,271.59 |
| 135-029-036 | \$1,089.45 |
| 135-029-037 | \$1,099.42 |
| 135-029-049 | \$1,105.54 |
| 135-029-050 | \$1,426.97 |
| 135-029-051 | \$1,127.78 |
| 135-041-004 | \$1,518.66 |
| 135-041-005 | \$ 666.79 |
| 135-041-009 | \$ 313.10 |
| 135-041-010 | \$ 313.10 |
| 135-041-011 | \$ 378.78 |
| 135-041-012 | \$ 356.89 |
| 135-041-013 | \$1,168.13 |
| 135-041-014 | \$ 707.36 |
| 135-041-015 | \$ 266.88 |
| 135-041-016 | \$ 247.42 |
| 135-041-017 | \$ 731.83 |
| 135-041-018 | \$ 288.78 |
| 135-041-019 | \$ 291.21 |
| 135-041-024 | \$1,507.70 |
| 135-041-029 | \$ 965.04 |
| 135-041-030 | \$1,147.72 |
| 135-041-031 | \$ 962.29 |
| 135-041-032 | \$1,475.68 |
| 135-041-033 | \$1,198.57 |
| 135-041-034 | \$2,695.12 |
| 135-045-033 | \$2,942.92 |
| 135-045-045 | \$1,269.08 |
| 135-045-046 | \$1,033.82 |
| 135-045-047 | \$1,422.60 |
| 135-045-048 | \$ 912.42 |
| 135-045-049 | \$ 573.69 |
| 135-045-050 | \$ 573.69 |
| 135-045-051 | \$ 573.69 |
| 135-045-052 | \$ 576.12 |
| 135-045-053 | \$ 576.12 |
| 135-045-054 | \$ 564.83 |
| 135-045-055 | \$2,171.21 |
| 135-045-056 | \$1,745.84 |
| 135-045-057 | \$1,277.99 |

**ENGINEER'S REPORT FOR THE SALIDA LANDSCAPE AND LIGHTING DISTRICT
FISCAL YEAR 2008/2009**

Exhibit "D" (continued)

| <u>Assessor's Parcel No.</u> | <u>Assessment</u> |
|------------------------------|-------------------|
| 135-047-001 | \$1,752.59 |
| 135-047-023 | \$ 684.60 |
| 135-047-032 | \$1,629.40 |
| 135-047-033 | \$1,132.33 |
| 135-048-028 | \$2,234.96 |
| 136-007-016 | \$3,001.79 |
| 136-007-017 | \$ 766.24 |
| 136-007-018 | \$ 901.40 |
| 136-007-019 | \$ 892.65 |
| 136-007-020 | \$3,157.51 |
| 136-017-005 | \$ 774.50 |
| 136-017-016 | \$1,336.22 |

NOTICE OF HEARING REGARDING THE FORMATION OF THE
SALIDA BOULEVARD LANDSCAPE AND LIGHTING DISTRICT
AND THE LEVY OF AN ANNUAL ASSESSMENT

NOTICE IS HEREBY GIVEN that on Tuesday, March 4, 2008, at the hour of 9:15 a.m., or as soon thereafter as the matter may be heard, in the Joint Chambers located in the basement of the City/County Administration Building, 1010 10th Street, Modesto, California, the Board of Supervisors of Stanislaus County will hold a public hearing regarding the formation of the Salida Boulevard Landscape and Lighting District (hereinafter, the "District"), ballot procedure, and the levy of an annual assessment on all parcels of land within the District. Said District will contain all that certain real property in the County of Stanislaus, State of California, particularly described as follows:

All those portions of sections 3 and 4 of Township 3 South, Range 8 East and Sections 33 and 34 of Township 2 South, Range 8 East, Mount Diablo Base and Meridian, more particularly described as follows:

Commencing at the Northwesterly corner of the Beckwith No. 1 Addition to the City of Modesto filed as Instrument #54524 on June 19, 1973, said point being on the Southwesterly right-of-way of the Union Pacific Railroad. Thence, North 89°33 03 E 136.00 to a point on the Northeasterly right-of-way of said Union Pacific Railroad and being the True Point of Beginning of this description. Thence (1) North 43°07 01 West, 6944.38 feet along said Northeasterly railroad right-of-way to a point on the Westerly right-of-way of California State Route 99.

Thence along said Westerly right-of-way, the following 21 courses:

Thence, (2) South 57°36 03 East, 600.18
Thence, (3) South 43°07 40 East, 77.48
Thence, (4) North 46°52 20 East, 20.00
Thence, (5) South 57°36 03 East, 1161.83
Thence, (6) South 32°23 57 West, 82.47
Thence, (7) North 89°39 43 East, 137.60
Thence, (8) South 52°14 06 East, 392.35
Thence, (9) South 44°51 55 East, 453.25
Thence, (10) South 37°34 14 East, 406.90
Thence, (11) South 35°45 50 East, 81.61
Thence, (12) South 76°17 00 East, 61.85
Thence, (13) South 49°36 34 East, 669.70
Thence, (14) South 47°32 06 East, 380.89
Thence, (15) South 43°40 28 East, 533.38
Thence, (16) South 0°09 56 East, 181.39
Thence, (17) North 48°23 09 East, 123.88
Thence, (18) South 41°36 51 East, 770.00
Thence, (19) South 37°09 59 East, 546.43

Thence, (20) though a curve to the left, concaved to the Southwest, with a central angle of 28°38 52, a radius of 1340.00 feet and a chord distance of 663.04 feet, thence along said curve an arc length of 670.00

Thence, (21) South 8°05 30 East, 148.82

Thence, (22) South 15°44 33 West, 70.14

Thence, (23) leaving said Westerly right-of-way of California State Route 99, South 0°26 57 East, 30.00 feet to a point on the center line of Pelandale Avenue, also being a point on the said Beckwith No. 1 Addition to the City of Modesto.

Thence, (24) South 89°33 03 West, 234.73 along said centerline and city limit line to the true point of beginning and containing 78.18 acres of land more or less.

NOTICE IS FURTHER GIVEN that at the above time and place all persons will be afforded an opportunity to speak for or against said proposal.

Dated: January 15, 2008

ATTEST: CHRISTINE FERRARO TALLMAN,
Clerk of the Board of Supervisors of the
County of Stanislaus, State of California

By: Elizabeth King
Deputy Clerk of the Board

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**


**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO**, County of **STANISLAUS**, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS**, State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

FEBRUARY 20, 2008

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at **MODESTO, California** on

FEBRUARY 20, 2008


(Signature)

**NOTICE OF HEARING REGARDING THE
FORMATION OF THE SALIDA BOULEVARD
LANDSCAPE AND LIGHTING DISTRICT AND
THE LEVY OF AN ANNUAL ASSESSMENT**

NOTICE IS HEREBY GIVEN that on Tuesday, March 4, 2008, at the hour of 9:15 a.m., or as soon thereafter as the matter may be heard, in the Basement Chambers of the City/County Administration Building, 1010 10th Street, Modesto, California, the Board of Supervisors of Stanislaus County will hold a public hearing regarding the formation of the Salida Boulevard Landscape and Lighting District (hereinafter, the Districts), ballot procedure, and the levy of an annual assessment on all parcels of land within the District. Said District will contain all that certain real property in the County of Stanislaus, State of California, particularly described as follows:

All those portions of sections 3 and 4 of Township 3 South, Range 8 East and Sections 33 and 34 of Township 2 South, Range 8 East, Mount Diablo Base and Meridian, more particularly described as follows: Commencing at the Northwesterly corner of the Beckwith No. 1 Addition to the City of Modesto filed as Instrument #54524 on June 19, 1973, said point being on the Southwesterly right-of-way of the Union Pacific Railroad. Thence, North 89°33'03"E 136.00 to a point on the Northeasterly right-of-way of said Union Pacific Railroad and being the True Point of Beginning of this description. Thence (1) North 43°07'01" West, 6944.38 feet along said Northeasterly railroad right-of-way to a point on the Westerly right-of-way of California State Route 99. Thence along said Westerly right-of-way, the following 21 courses:

- Thence, (2) South 57°36'03" East, 600.18
- Thence, (3) South 43°07'40" East, 77.48
- Thence, (4) North 46°52'20" East, 20.00
- Thence, (5) South 57°36'03" East, 1161.83
- Thence, (6) South 32°23'57" West, 82.47
- Thence, (7) North 89°39'43" East, 137.60
- Thence, (8) South 52°14'06" East, 392.35
- Thence, (9) South 44°51'55" East, 453.25
- Thence, (10) South 37°34'14" East, 406.90
- Thence, (11) South 35°45'50" East, 81.61
- Thence, (12) South 76°17'00" East, 61.85
- Thence, (13) South 49°36'34" East, 669.70
- Thence, (14) South 47°32'06" East, 380.89
- Thence, (15) South 43°40'28" East, 533.38
- Thence, (16) South 0°09'56" East, 181.39
- Thence, (17) North 48°23'09" East, 123.88
- Thence, (18) South 41°36'51" East, 770.00
- Thence, (19) South 37°09'59" East, 546.43

Thence, (20) though a curve to the left, concaved to the Southwest, with a central angle of 28°38'52", a radius of 1340.00 feet and a chord distance of 663.04 feet, thence along said curve an arc length of 670.00 feet. Thence, (21) South 8°05'30" East, 148.82

Thence, (22) South 15°44'33" West, 70.14

Thence, (23) leaving said Westerly right-of-way of California State Route 99, South 0°26'57" East, 30.00 feet to a point on the center line of Pelandale Avenue, also being a point on the said Beckwith No. 1 Addition to the City of Modesto.

Thence, (24) South 89°33'03" West, 234.73 along said centerline and city limit line to the true point of beginning and containing 78.18 acres of land more or less.

NOTICE IS FURTHER GIVEN that at the above time and place all persons will be afforded an opportunity to speak for or against said proposal.

Dated: January 15, 2008

ATTEST: CHRISTINE FERRARO TALLMAN,
Clerk of the Board of Supervisors of the County of Stanislaus, State of California

By: Elizabeth A. King, Assistant Clerk of the Board
FEBRUARY 20, 2008