

**MARIPOSA COUNTY
BOARD OF SUPERVISORS**

**AGENDA
ACTION FORM**

1st reading: June 28, 2011
2nd reading: July 12, 2011
AGENDA ITEM NO. 5 (7)

Handwritten initials

DEPARTMENT: Public Works/Roads

BY: Allen Toschi
PHONE: 966-5356

1079

RECOMMENDED ACTION AND JUSTIFICATION:

6/28 Waive First Reading and Introduce Ordinance *7/12* Waive Second Reading.

Adopt the attached Ordinance establishing assessment fees for Royal Oaks Estates Zone of Benefit.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On October 19, 2010, the Board approved a resolution of intent to form a Zone of Benefit for Royal Oaks Estates. (Res. 10-491) On December 14, 2010, the Board adopted the resolution to form the Royal Oaks Estates Zone of Benefit. (Res. 10-569)

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

N/A. The Board previously approved the resolution of intent and formation, which is the first step prior to adopting the ordinance.

Financial Impact? () Yes () No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		1. Ordinance
Source:		_____
Internal Transfer _____		_____
Unanticipated Revenue _____ 4/5's vote		_____
Transfer Between Funds _____ 4/5's vote		_____
Contingency _____ 4/5's vote		_____
() General () Other		_____

CLERK'S USE ONLY:

Res. No.: _____ *7/12* Ord. No. 1079
Vote - Ayes: 4 Noes: _____
Absent: *Kupin*
() Approved
6/28 () Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
Comments:

CAO: *[Signature]*

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: _____
Deputy



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

JIM ALLEN, CHAIR
JANET BIBBY, VICE-CHAIR
LEE STETSON
LYLE TURPIN
KEVIN CANN

DISTRICT V
DISTRICT III
DISTRICT I
DISTRICT II
DISTRICT IV



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: ALLEN TOSCHI, Public Works Director
FROM: MARGIE WILLIAMS, Clerk of the Board
SUBJECT: Waive the First Reading and Introduce an Ordinance Establishing Assessment Fees for the Royal Oaks Estates Zone of Benefit

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on June 28, 2011

ACTION AND VOTE:

- 5 **Public Works**
Waive the First Reading and Introduce an Ordinance Establishing Assessment Fees for the Royal Oaks Estates Zone of Benefit
BOARD ACTION: Discussion was held with Allen Toschi/Public Works Director, and Mark Dvorak/PWD-Engineering Technician, relative to the request. Supervisor Cann asked about the costs and whether there is a document that addresses the limits. Rick Benson advised of the ordinance process and that language could be incorporated in future zone of benefit documents. (M)Stetson, (S)Bibby, the first reading was waived and the Ordinance was introduced. Chair Allen read the title of the Ordinance into the record. Ayes: Stetson, Bibby, Cann, Allen; Excused: Turpin.

Cc: Steven W. Dahlem, County Counsel
File

MARIPOSA COUNTY ORDINANCE NO. 1079

AN ORDINANCE ESTABLISHING ASSESSMENT FEES FOR
ROYAL OAKS ESTATES ZONE OF BENEFIT
(Not to be codified)

WHEREAS, Zones of Benefit created prior to January 1, 2011 are to be assessed fees during the calendar year of 2011, for the services included in the "zone" being created.

WHEREAS, the fees were established through a public hearing process;

NOW THEREFORE, THE BOARD OF SUPERVISORS of Mariposa County, a political subdivision of the State of California, does ordain as follows:

SECTION I: In regards to the **ROYAL OAKS ESTATES ZONE OF BENEFIT**; during the public hearing on December 14, 2010, the total fees established were:

(1) the up-front costs to initiate this zone, zero dollars (\$0.00); and (2) for the first year (2011), an amount of ten thousand sixty two dollars and forty one cents (\$10,062.41). Said fees shall be apportioned among lots that exist within the boundaries of the zone. In 2011, the thirty three (33) lots that exist at the time of formation, shall be assessed a yearly sum of lots (1,2) two hundred sixty nine dollars and ninety five cents (\$269.95), lot (3) three hundred fifty three dollars and ninety four cents (\$353.94), lot (4) four hundred sixty four dollars and sixteen cents (\$464.16), lot (5,12) five hundred forty one dollars and one cent (\$541.01), lots (6,7) five hundred forty eight dollars and fourteen cents (\$548.14), lot (8) three hundred seventy three dollars and eighty eight cents (\$373.88), lot (9) four hundred thirty one and four cents (\$431.04), lot (10) four hundred eleven dollars and eighty three cents (\$411.83), lot(11) four hundred fifty dollars and eighteen cents (\$450.18), lot (15) three hundred thirty one dollars and fifty four cents (\$331.54), lot (16) three hundred forty five dollars and six cents (\$345.06), lots (13,14 and 17 through 33) two hundred eighteen dollars and seventy six cents (\$218.76) each. Said fees shall be reviewed annually with an escalator of not to exceed 2% per year and adjusted by the Board of Supervisors. Said zone of benefit was approved and adopted by Board Resolution 10-569. A legal description and map of the boundaries are attached hereto and marked Exhibit "A" and Exhibit "B", and by reference herein.

SECTION II: This ordinance shall become effective thirty days from the date of final passage pursuant to California Government Code Section 25123.

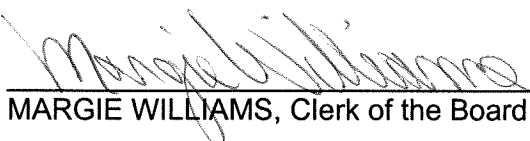
PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 12th day of July, 2011, by the following vote:

AYES: STETSON, BIBBY, CANN, ALLEN
NOES: NONE
ABSENT: TURPIN
ABSTAINED: NONE



Mariposa County Board of Supervisors
Jim Allen, Chair

ATTEST:



MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM:



Steven W. Dahlem, County Counsel

EXHIBIT A

A tract of land situated in a portion of projected Section 3, Township 6 South, Range 18 East, M. D. B & M., Rancho Las Mariposas, Mariposa County, State of California, said tract of land being more particularly described as follows:

BEGINNING at the northwest corner of Section 2 of Township 6 South, Range 18 East, M. D. B & M., said corner also being the northeast corner of the REMAINDER as said REMAINDER is delineated on that certain map entitled "Parcel Map for George, Gordon, Edwin, & Darryl Greenamyre" filed December 23, 1975 in Book 10 of Parcel Maps at Page 6, Mariposa County Records; thence, traversing around the boundary of the herein described tract of land, the following twenty-seven (27) courses and distances

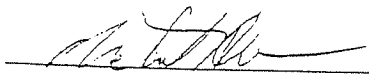
1. S00°29'30"E, along the westerly line of said Section 2 and the easterly line of said REMAINDER, for 2640.93 feet to the W1/4 corner of said Section 2; thence
2. S00°03'26"E, along the westerly line of said Section 2 and the easterly line of said REMAINDER, for 1360.23 feet to the northeast corner of Lot 10 of Unit One of Buckeye Ranch Estates as said Lot 10 is delineated on that certain map entitled "Map of Unit One Buckeye Ranch Estates" filed February 19, 1980 in the Book of Maps at Page 2058, Mariposa County Records; thence.
3. leaving the easterly line of said REMAINDER and the westerly line of said Section 2, N89°55'31"W, along the north line of said Lot 10 for 529.71 feet to the northwest corner thereof, said corner also being a point on the easterly line of that certain road known as Burl Drive, as said Burl Drive is delineated on said "Map of Unit One Buckeye Ranch Estates"; thence
4. N04°35'32"E, along the easterly line of said Burl Drive for 44.94 feet to the beginning of a tangent curve concave to the southwest having a radius of 200.00 feet and a chord length of 100.87 feet; thence
5. northerly, along the easterly line of said Burl Drive and along said curve, through a central angle of 29°12'43", an arc distance of 101.97 feet to the point of tangency; thence
6. N24°37'11"W, along the easterly line of said Burl Drive, for 9.80 feet to the beginning of a tangent curve concave to the northeast, having a radius of 195.00 feet and a chord length of 100.54 feet; thence

7. northerly, along the easterly line of said Burl Drive and along said curve, through a central angle of $29^{\circ}52'38''$, an arc distance of 101.68 feet to the point of tangency; thence
8. $N05^{\circ}15'27''E$, along the easterly line of said Burl Drive, for 56.65 feet to the northeast corner thereof; thence
9. $N84^{\circ}44'33''W$, along the northerly line of said Burl Drive, for 60.00 to the northwest corner thereof, said corner also being the northeast corner of Lot 11 of Unit One of Buckeye Ranch Estates as said Lot 11 is delineated on said "Map of Unit One Buckeye Ranch Estates"; thence
10. $S80^{\circ}48'53''W$, along the northerly line of said Lot 11, for 515.51 feet to the northwest corner thereof; thence
11. $S07^{\circ}19'37''E$, along the westerly line of said Lot 11, for 355.84 feet to the southwest corner thereof, said corner also being an angle point in the northerly line of Lot 9 of Unit One of Buckeye Ranch Estates as said Lot 9 is delineated on said "Map of Unit One Buckeye Ranch Estates"; thence
12. $S82^{\circ}27'41''W$, along the northerly line of said Lot 9, for 300.27 feet to the northwest corner there, said corner also being an angle point in the easterly line of Lot 2 of Unit One of Buckeye Ranch Estates as said Lot 2 is delineated on said "Map of Unit One Buckeye Ranch Estates"; thence
13. $N07^{\circ}44'09''W$, along the easterly line of said Lot 2 and the easterly line of Lot 1 of Unit One of Buckeye Ranch Estates as said Lot 1 is delineated on said "Map of Unit One Buckeye Ranch Estates", for 499.96 feet to the northeast corner of said Lot 1; thence
14. $S82^{\circ}25'09''W$, along the northerly line of said Lot 1, for 486.13 feet to the northwest corner thereof, said corner also being a point on the westerly line of said REMAINDER; thence
15. $N07^{\circ}34'55''W$, along the westerly line of said REMAINDER, for 1450.47 feet to an angle point therein; thence
16. $S82^{\circ}27'51''W$, along the westerly line of said REMAINDER for 732.56 feet to an angle point therein; thence
17. $N39^{\circ}38'16''W$, along the westerly line of said REMAINDER for 391.95 feet to an angle point therein; thence
18. $N46^{\circ}41'22''E$, along the westerly line of said REMAINDER, for 241.95 feet to an angle point therein.
19. $N00^{\circ}45'11''E$, along the westerly line of said REMAINDER, for 368.82 feet to an angle point therein; thence

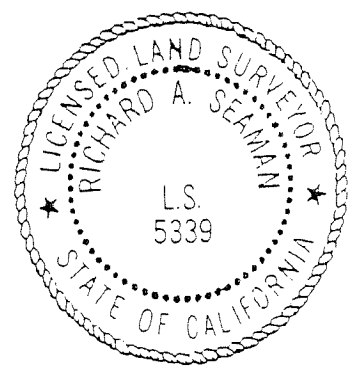
20. N33°20'55"E, along the westerly line of said REMAINDER, for 286.27 feet to an angle point therein; thence
21. N22°36'54"W, along the westerly line of said REMAINDER, for 902.74 feet to the northwest corner thereof; thence
22. N78°50'43"E, along the northerly line of said REMAINDER, for 457.81 feet to an angle point therein; thence,
23. S25°12'52"E, along the northerly line of said REMAINDER; for 295.50 feet to an angle point therein; thence.
24. N78°35'03"E, along the northerly line of said REMAINDER; for 270.51 feet to an angle point therein; thence,
25. N60°22'52"E, along the northerly line of said REMAINDER; for 673.78 feet to an angle point therein; thence,
26. N40°32'11"E, along the northerly line of said REMAINDER; for 385.19 feet to an angle point therein; thence,
27. S89°50'50"E, along the northerly line of said REMAINDER; for 1437.07 feet, more or less, to the POINT OF BEGINNING.

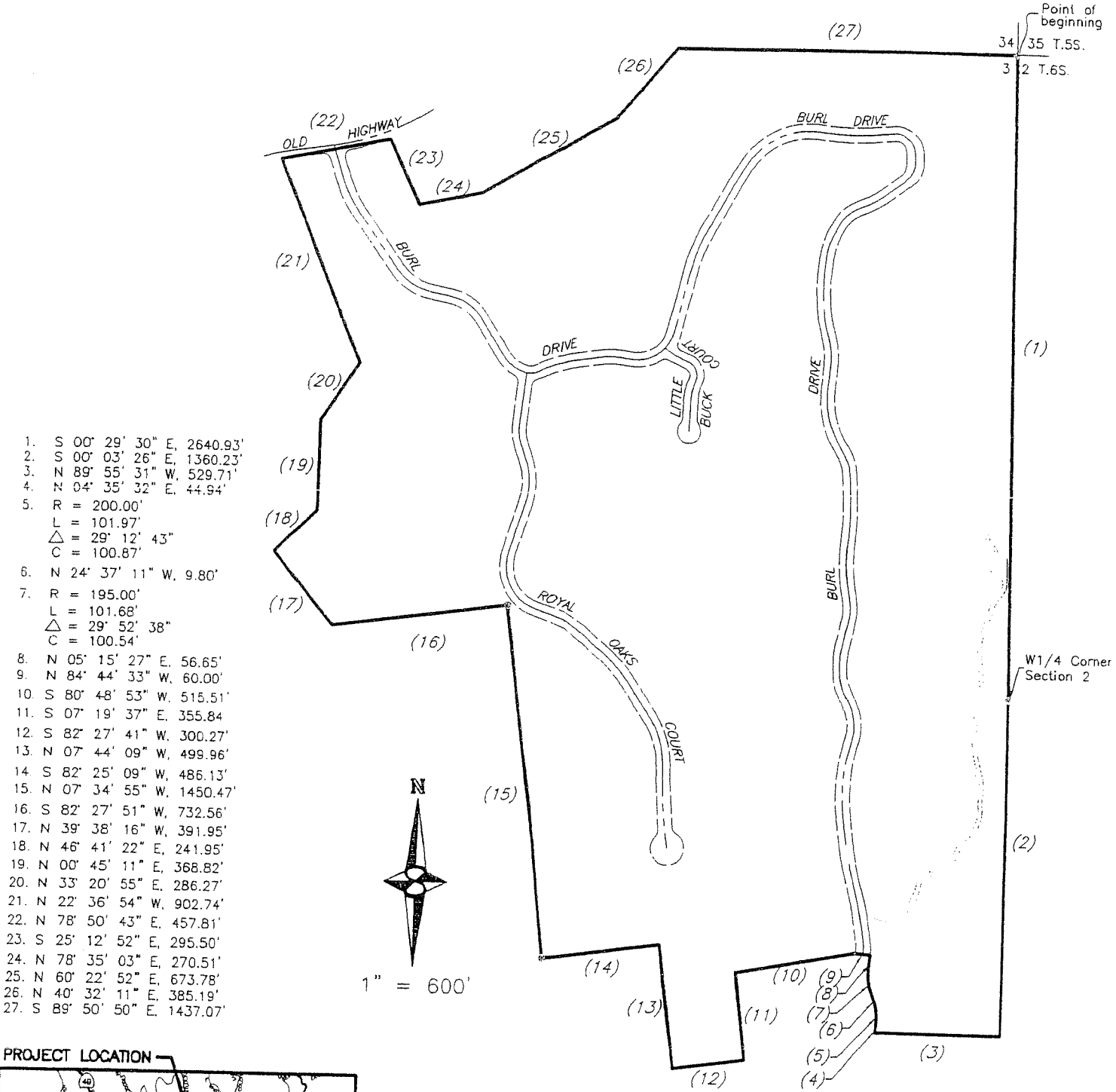
The above described tract of land contains 212.72 acres, more or less, and is subject to any liens, encumbrances, covenants, restrictions and rights-of-way or easements of record or legally acquired

Prepared by:

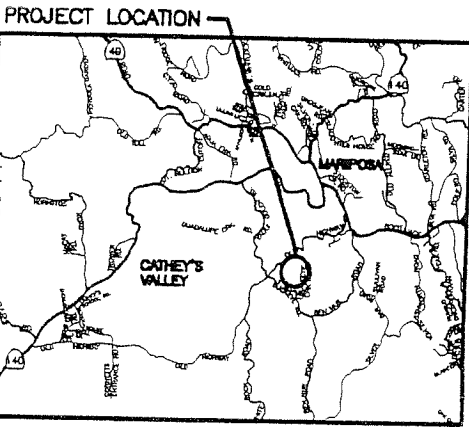

 Richard A. Seaman, L.S. 5339
 License Expires 12/31/05

1/21/04
 Date





1. S 00° 29' 30" E, 2640.93'
2. S 00° 03' 26" E, 1360.23'
3. N 89° 55' 31" W, 529.71'
4. N 04° 35' 32" E, 44.94'
5. R = 200.00'
L = 101.97'
Δ = 29° 12' 43"
C = 100.87'
6. N 24° 37' 11" W, 9.80'
7. R = 195.00'
L = 101.68'
Δ = 29° 52' 38"
C = 100.54'
8. N 05° 15' 27" E, 56.65'
9. N 84° 44' 33" W, 60.00'
10. S 80° 48' 53" W, 515.51'
11. S 07° 19' 37" E, 355.84
12. S 82° 27' 41" W, 300.27'
13. N 07° 44' 09" W, 499.96'
14. S 82° 25' 09" W, 486.13'
15. N 07° 34' 55" W, 1450.47'
16. S 82° 27' 51" W, 732.56'
17. N 39° 38' 16" W, 391.95'
18. N 46° 41' 22" E, 241.95'
19. N 00° 45' 11" E, 368.82'
20. N 33° 20' 55" E, 286.27'
21. N 22° 36' 54" W, 902.74'
22. N 78° 50' 43" E, 457.81'
23. S 25° 12' 52" E, 295.50'
24. N 78° 35' 03" E, 270.51'
25. N 60° 22' 52" E, 673.78'
26. N 40° 32' 11" E, 385.19'
27. S 89° 50' 50" E, 1437.07'



Plot of Zone of Benefit
Being a portion of projected Section 3, T.6S., R.18E., M.D.B.&M.
for
Royal Oaks Estates Subdivision

(6)

9/24/2008 12:02:26 PM