

RESOLUTION NO. 08-93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER ACCEPTING PETITION AND DECLARING INTENTION TO INITIATE AND CONDUCT SPECIAL ASSESSMENT PROCEEDINGS

WHEREAS, the owners of certain real property located within the City of Lancaster (the "City") have filed with the City Clerk of the City a petition (the "Petition"), signed by such owners, requesting the construction of certain public improvements (the "Project") and the formation of an assessment district (the "Assessment District") to finance a portion of the cost of the Project; and

WHEREAS, the Petition contains an express waiver of statutory proceedings under the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 of the California Streets and Highways Code, the "1931 Act"); and

WHEREAS, the City Clerk has also received a certificate to the effect that the Petition has been signed by persons owning lands which constitute more than 60% in area of the land within the Assessment District that will be subject to assessment; and

WHEREAS, the Assessment District and the Project is proposed to be constructed in an incorporated portion of the City; and

WHEREAS, the City Council intends to order the construction of the Project and to form the Assessment District to pay a portion of the cost thereof as requested by the Petition;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, STATE OF CALIFORNIA, THAT:

Section 1. The above recitals, and each of them, are true and correct.

Section 2. The owners of more than 60% in area of the land within the Assessment District that will be subject to assessment have signed the Petition, and the Petition contains the matters required by the 1931 Act and in particular by Section 2804.5 of the California Streets and Highways Code.

Section 3. The Petition is legally sufficient and is accepted by this City Council.

Section 4. The proceedings for the formation of the Assessment District shall be undertaken, as requested by the Petition, pursuant to the Municipal Improvement Act of 1913 (Division 12 of the California Streets and Highways Code) and without further compliance with the 1931 Act.

Section 5. The public interest and convenience will be served by the taking of the proceedings described herein.

Section 6. This Resolution shall constitute a final action taken with respect to the 1931 Act within the meaning of the phrase “final action” as used in Section 3012 of the California Streets and Highways Code.

Section 7. The Assessment District shall include the contiguous areas formed by the assessor’s parcels listed below, and the exterior boundaries of the Assessment District shall consist of the exterior boundaries of the respective areas formed by said assessor’s parcels. The assessor’s parcels are County of Los Angeles Assessor’s Parcel Nos.:

- 3112-010-007
- 3112-010-008
- 3112-010-009
- 3112-010-010
- 3112-010-013
- 3112-010-014
- 3112-010-015
- 3112-010-016

Section 8. The City Council intends to order the acquisition and/or construction of the Project. The Project consists of

- a. the construction of approximately 700 feet of 8” sewer with associated manholes and laterals to the property lines to serve certain Stillmeadow Lane residents and
- b. any and all necessary modifications or extensions to the City’s existing sewer collection system to allow properties within the Assessment District to connect to the City’s collection system, together with
- c. all planning, design, contingencies, construction administration and general administrative services, and the acquisition of all necessary rights of way, not including easements to construct the sewer and laterals which will be provided at no cost to the City by all property owners (including any necessary subordination) over which the sewer is constructed, licenses, franchises and permits, and the construction of all auxiliary work necessary and/or convenient to the accomplishment thereof, in accordance with plans and specifications approved by the City Council, and together also with
- d. the incidental costs of the foregoing not including sewer connection fees, but including, but not limited to, any incidental costs and expenses of the assessment proceedings.

Section 9. The City Council further declares its intention to levy a special assessment upon the land within the Assessment District in accordance with the respective special benefits to be received by each parcel of land within the Assessment District from the Project. Publicly-owned property which is specially benefited by the Project will be specially assessed with the expectation that such assessment will be paid in cash during the period available for such payments.

Section 10. Pursuant to the provisions of subsection (f) of Section 10204 of the California Streets and Highways Code, the City Council intends to provide for an annual assessment upon each of the parcels of land in the Assessment District to pay various costs and expenses incurred from time to time by the City and not otherwise reimbursed to the City which result from the administration and collection of assessments or from the administration or registration of any associated bonds and reserve or other related funds.

Section 11. The City intends to advance available funds from its treasury to fund a portion of the Project, which funds shall be reimbursed from collected assessments of the Assessment District prior to funding any other costs.

Section 12. Any surplus remaining in the improvement fund established for the Assessment District following the completion of the Project and the payment of all applicable expenses shall be applied pursuant to the provisions of Section 10427.1 of the California Streets and Highways Code.

Section 13. 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 pursuant to Section 20485 of the Public Contracts Code.

Section 14. The City Engineer is authorized and directed to cause the preparation of a report containing the matters required by Section 10204 of the California Streets and Highways Code and Section 4 of Article XIII D of the California Constitution.

Section 15. Any provision of this Resolution to the contrary notwithstanding, the Project shall not be acquired or constructed unless and until the requirements of the California Environmental Quality Act have been satisfied.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2008, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES }ss
CITY OF LANCASTER }

CERTIFICATION OF RESOLUTION
CITY COUNCIL

I, _____, _____ City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original Resolution No. 08-93, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, _____.

(seal)

Avenue "K"

25th Street West

Stillmeadow Lane



Stillmeadow Lane Sewer Assessment District 08-01

Proposed Sewer

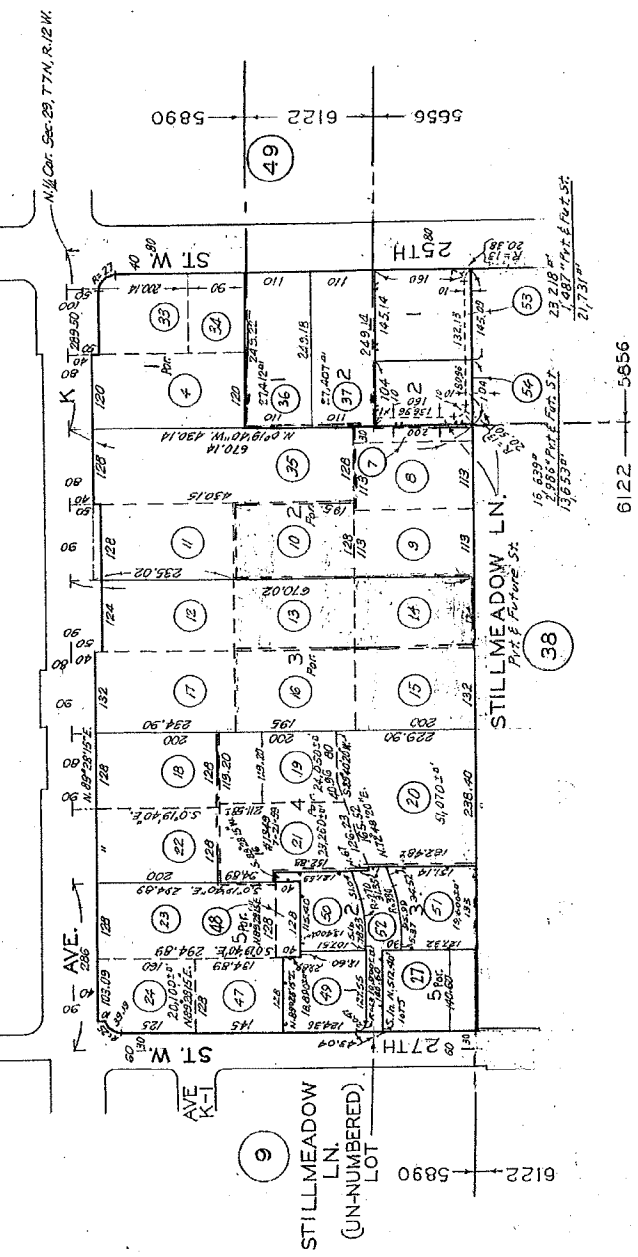
Stillmeadow Lane

3112 10
SCALE 1" = 200'

2009

75020661
7803105
8004082L
8007003
810121104
820409602
820925313-5
850906402-66
871005-88
891229
940406
940923
030452
200712807-A1
200808067-A1

BK
3129



CODE
5890
6122
5856

All areas on this page are net.

PARCEL MAP P.M. 138 - 18 - 19
PARCEL MAP P.M. 179 - 74 - 75

RECORD OF SURVEY R.S. 66-10-11
PARCEL MAP P.M. 121-10-11

ASSASSIN/T SEE:
512-10

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.