

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION APPROVING FORMATION OF ZONE) RESOLUTION NO. 15-089
OF BENEFIT 13 IN COUNTY SERVICE AREA NO. 5)
(PINE GROVE BLUFFS PHASE 1 AND LATER)
PHASES))
)
PROPERTY OWNER: DEL RAPINI CONSTRUCTION, INC.)

WHEREAS, the Board of Supervisors of Amador County has received a petition signed by 100% of the property owners within proposed Zone of Benefit 13 in County Service Area No. 5 (Pine Grove Bluffs Phase 1 and later phases) requesting formation of said Zone of Benefit for the purposes of maintenance, repair and replacement of pavement (including without limitation signage and striping) and drainage structures and conveyances located within Zone of Benefit 13; and

WHEREAS, the property owner desires the creation of a Zone of Benefit pursuant to Government Code section 25217 *et seq.* for the subdivision of Pine Grove Bluffs to satisfy the conditions to obtain final map approval, the boundaries of which are more particularly described in Exhibits A and B; attached hereto and incorporated herein by reference; and

WHEREAS, the owner has irrevocably offered for dedication the following named roads on the Final Map of Pine Grove Bluffs Phase 1: portions of Mineral Ridge Drive, Rapini Court, and Bluff Court; and

WHEREAS, the total length of the roads and drainage structures and conveyances to be maintained within Zone of Benefit 13 is 3,244 feet; and

WHEREAS, the improvements to Mineral Ridge Dr., Rapini Court, and Bluff Court together with other roads and drainage structures and conveyances constructed within Zone of Benefit 13 for Phase 1 and later phases are referred to herein as the "Improvements." Phase 1 consists of 13 lots and incorporates all 3,244 feet of road for the Improvements. It is not anticipated that any additional pavement or associated drainage structures and conveyances will be constructed in later phases; and

WHEREAS, the Board of Supervisors of Amador County finds that the benefits to be derived from imposition of an assessment in the amounts calculated in accordance with the formulas (including inflationary adjustments and adjustments for additional Improvements) described in Exhibit C, attached hereto and incorporated herein by reference, are commensurate with the charges proposed to be assessed; and

WHEREAS, the Board of Supervisors of Amador County held a Public Hearing on October 13, 2015 to accept public testimony regarding the proposed formation of a Zone of Benefit 13 within County Service Area No. 5 for Pine Grove Bluffs Phase 1 and later phases; and

WHEREAS, the Board of Supervisors of Amador County finds that a notice of assessment and ballot have been sent to all property owners within proposed Zone of Benefit 13 with unanimous approval of the assessment charge by the property owners.

THEREFORE BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California, that said Board does hereby approve the formation of Zone of Benefit 13 (Pine Grove Bluffs, Phase 1 and later phases) within County Service Area No. 5, as shown on the attached map and legal description of the boundary thereof in accordance with Section 4 of Article XIID of the California Constitution and pursuant to California Government Code section 25210 *et seq.*; and

BE IT FURTHER RESOLVED that the Auditor/Controller of Amador County is hereby directed to assess each parcel the assessments calculated in accordance with Exhibit C when the Improvements or any portion thereof are accepted for dedication, and to adjust such assessments in the manner described in Exhibit C.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 13th day of October 2015, by the following vote:

AYES: Brian Oneto, John Plasse, Louis D. Boitano, Richard M. Forster, and Lynn Morgan,

NOES: None

ABSENT: None



Brian Oneto, Chairman, Board of Supervisors

ATTEST:

JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California



Deputy

EXHIBIT "A"

DESCRIPTION FOR PINE GROVE BLUFFS County Service Area No. 5, Zone of Benefit No. 13

A parcel of land situated in the County of Amador, State of California, and being a portion of Sections 32 and 33, Township 7 North, Range 12 East, Mount Diablo Meridian, and being more particularly described as follows:

Beginning at a 2 inch iron pipe marking the Southeast corner of the hereinabove referred to Section 32, being also the Southeast corner of that certain parcel of land delineated and designated "REMAINDER", upon that certain official maps entitled "FINAL SUBDIVISION MAP No. 123 PINE GROVE BLUFFS PHASE 1", and recorded in the office of the Recorder of Amador County in Book 9 of Subdivision Maps at Page 53, et seq, and "FINAL SUBDIVISION MAP No. 123 PINE GROVE BLUFFS PHASE 2, recorded in Book _____ of Subdivision Maps at Page _____, et seq;

thence, (1) from said point of beginning, along the South line of said Section 32, being also the North line of County Service Area No. 5, Zone of Benefit No. 10, for Petersen Ranch Unit 2, South 87° 58' 27" West 1295.57 feet to the Southwest corner of said Pine Grove Bluffs Unit 1

thence, leaving said lines, (2) North 01° 57' 41" East 956.77 feet to the Northwest corner thereof;

thence, (3) North 78° 01' 25" East 226.55 feet;

thence, (4) North 77° 19' 53" East 1.77 feet;

thence, (5) North 89° 27' 56" East 92.25 feet;

thence, (6) North 78° 12' 46" East 209.36 feet;

thence, (7) North 11° 50' 51" West 225.08 feet;

thence, (8) North 78° 11' 47" East 49.80 feet;

thence, (9) South 11° 50' 51" East 124.95 feet;

thence, (10) North 78° 08' 29" East 254.02 feet;

thence, (11) South 87° 07' 45" East 168.87 feet;

thence, (12) North 02° 49' 28" East 123.67 feet;

thence, (13) South 87° 46' 23" East 99.94 feet;

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thence, (14) South 02° 53' 55" West 129.31 feet;

thence, (15) South 72° 10' 52" East 202.93 feet;

thence, (16) North 18° 38' 57" East 125.02 feet;

thence, (17) South 72° 11' 39" East 100.24 feet to the Northeast corner of said Pine Grove Bluffs Unit 1;

thence, (18) South 17° 48' 21" West 5.00 feet;

thence, (19) along the arc of a non-tangent curve to the left, from a tangent which bears North 72° 11' 39" West, having a radius of 30.00 feet, through a central angle of 88° 41' 30", for an arc length of 46.44 feet;

thence, (20) South 19° 06' 51" West 101.13 feet;

thence, (21) along the arc of a curve to the left, having a radius of 220.00 feet, through a central angle of 37° 51' 42", for an arc length of 145.38 feet;

thence, (22) along the arc of a curve to the right, having a radius of 255.00 feet, through a central angle of 12° 03' 31", for an arc length of 53.67 feet;

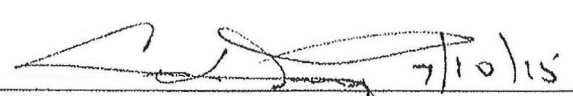
thence, (23) North 83° 18' 39" East 20.00 feet;

thence, (24) along the arc of a non-tangent curve to the right, from a tangent which bears South 06° 41' 21" East, having a radius of 275.00 feet, through a central angle of 14° 40' 07", for an arc length of 70.40 feet;

thence, (25) South 07° 58' 46" West 322.60 feet;

thence, (26) South 14° 09' 25" West 185.85 feet;

thence, (27) South 00° 00' 00" West 287.94 feet to the point of beginning, containing 33.44 acres of land, more or less.


Ciro L. Toma PLS 3570 License expires 06/30/08

06/25/15



EXHIBIT "B"

COUNTY SERVICE AREA No. 5 ZONE OF BENEFIT No. 13

for

FINAL SUBDIVISION MAP No. 123 PINE GROVE BLUFFS

DEL RAPINI CONSTRUCTION, INC., a California Corporation
2005012391 and 20090004645

BEING A PORTION OF THE SW 1/4 SECTION 33 AND TH SE 1/4 SECTION 32
T. 7 N., R. 12 E., M. D. M.
COUNTY OF AMADOR, STATE OF CALIFORNIA

SURVEYOR'S STATEMENT

I, CRO L. TOMA, A LICENSED LAND SURVEYOR IN THE STATE OF CALIFORNIA, DO HEREBY STATE THAT THIS MAP WAS PREPARED UNDER MY DIRECTION IN JUNE OF 2015.

DATE: July 13, 2015



Cro L. Toma
CRO L. TOMA - P.L.S. 3570
MY LICENSE EXPIRES 6-30-2016

NOTES and LEGEND

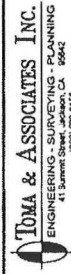
DENOTES COUNTY MAINTAINED AREA UNDER CSA No. 5, ZONE OF BENEFIT 13, ENTIRE PROPERTY AS SHOWN

DENOTES DIMENSION POINT

DENOTES EXISTING C.S.A. BOUNDARY

DENOTES COURSE NUMBER TO CORRESPOND WITH LEGAL DESCRIPTION
ROADS WILL ONLY BE MAINTAINED UNDER CSA No. 5, OR OTHERWISE UPON ACCEPTANCE OF DEDICATION BY COUNTY, WHOLE OR IN PART.

TOTAL AREA = 33.44 ACRES
TOTAL LENGTH OF ROADS TO BE MAINTAINED PER THIS MAP = 3244'
TOTAL NUMBER OF LOTS = 28



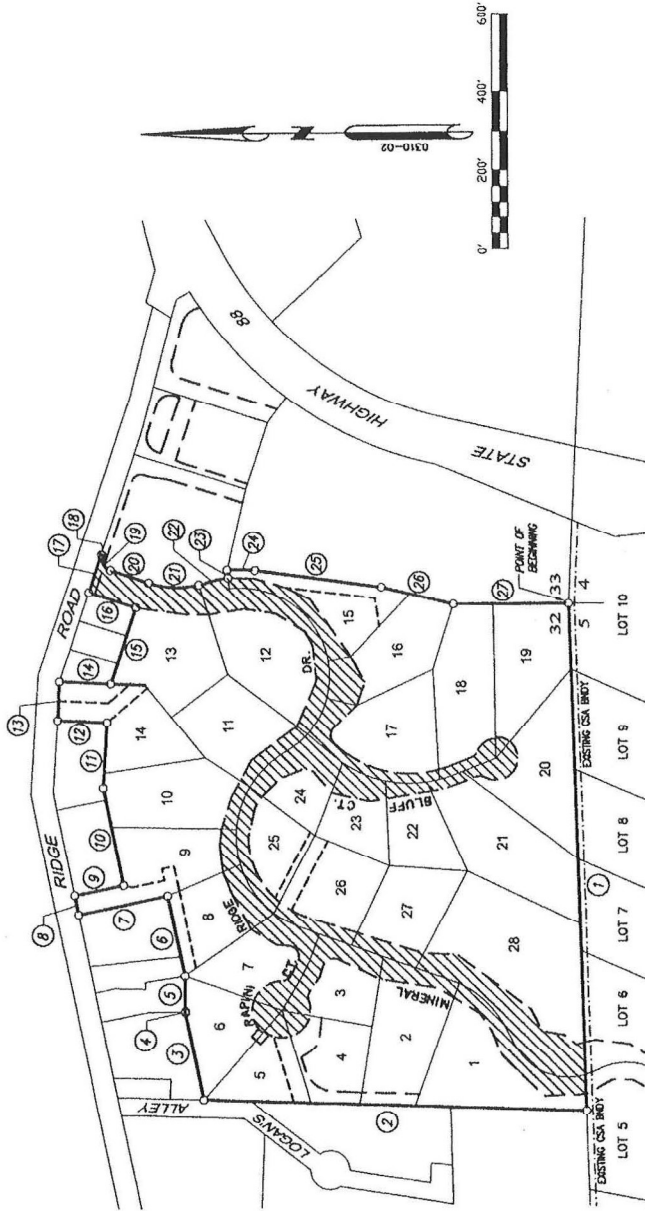
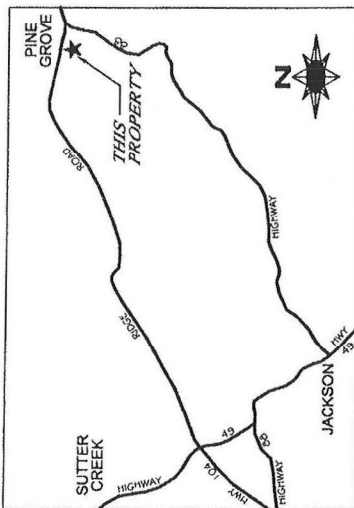
PROPOSED ANNEXATION TO COUNTY SERVICE AREA No. 5 ZONE OF BENEFIT No. 13 PINE GROVE BLUFFS

Scale: 1"=200' June, 2015

REVIEWED BY	APPROVED	DATE	FILED
SURVEYING AND ENGINEERING	DISAPPROVED	DATE	
S.A.Z.			

SHEET 1 OF 1 SHEET

COURSE DATA TABLE		
1	S 8759.27' W 1285.57'	15 S 7270.52' E 282.83'
2	N 0157.41' E 956.77'	16 N 1838.57' E 125.02'
3	N 7801.25' E 228.55'	17 S 7271.59' E 100.24'
4	N 7719.53' E 1.77'	18 S 1749.21' W(R) 5.00'
5	N 8927.56' E 92.25'	19 R=30.00' D=88°41'30" L=46.44'
6	N 7812.46' E 209.36'	20 S 19706.51' W 101.13'
7	N 1150.51' W 225.08'	21 R=220.00' D=37°51'42" L=145.38'
8	N 7811.47' E 49.80'	22 R=255.00' D=170°31' L=51.67'
9	S 1150.51' E 124.95'	23 N 8318.59' E(R) 20.00'
10	N 7808.29' E 254.02'	24 R=275.00' D=144°01'7" L=70.40'
11	S 8707.45' E 168.87'	25 S 07589.46' W 322.80'
12	N 0749.28' E 123.67'	26 S 1408.25' W 183.85'
13	S 8746.23' E 98.94'	27 S 00700.00' W 287.94'
14	S 0253.55' W 129.31'	



CSA 5, ZONE OF BENEFIT 10
PETERSEN HATCH UNIT 2
SEE 9-SUBS-28

Exhibit "C"
Resolution No. 15-089
County Service Area No. 5 – Zone of Benefit 13
Pine Grove Bluffs, Phase 1 and Later Phases

I. Reasons for imposing the assessment:

This assessment is being imposed in order to provide funds for the following:

Maintenance, repair and replacement of pavement (including without limitation signage and striping) and associated drainage structures and conveyances for Mineral Ridge Drive, Rapini Court, Bluff Court, within the boundaries of Zone of Benefit 13.

II. Boundaries of Zone of Benefit 13:

The boundaries for Zone of Benefit 13 are described in Exhibits "A" and "B." The Phase 1 lots (Lots 1-4, 20-28) being assessed for the Zone of Benefit include: APNs 030-740-001; 030-740-002, 030-740-003, 030-740-004, 030-740-005, 030-740-006, 030-740-007, 030-740-008, 030-740-009, 030-740-010, 030-740-011, 030-740-012, 030-740-013.

As later phases are completed, the remaining lots (Lots 5-19) currently identified as APNs 030-740-017 and 030-740-018 will be assessed as set forth below.

III. Proposed Fiscal Year 2015-16 assessment:

Approximately 3,244 feet of road for Mineral Ridge Drive, Rapini Court, Bluff Court, and associated drainage structures and conveyances (referred to as the "Improvements") are expected to be accepted for maintenance by the County in fiscal year 2015-16. At that time, assessments to provide funds for maintenance, repair and replacement for the completed Improvements will begin to be imposed. It is not anticipated that any additional pavement or associated drainage structures and conveyances will be constructed in later phases.

Annual costs for the entire Zone of Benefit 13 will be determined based upon proposed phasing of final map recordation. Phase 1 consists of 13 lots and incorporates all 3,244 feet of road for the Improvements. The total annual assessment for the entire Zone of Benefit 13 for the Improvements if they are accepted in September 2015 has been calculated to be \$6,904.80. (See below for calculation of assessment following completion of later phases of project.)

IV. Manner in which the assessment was calculated:

The total annual assessment amount of \$6,904.80 for the entire Zone of Benefit 13 Improvements was derived from applying a projected maintenance, repair and replacement cost of \$8,000 per mile (Fiscal Year 2004-05 dollars) to the length of the Improvements (3,244 feet). According to the Engineer's Report submitted for the Improvements, all 13 lots within Phase 1 will benefit equally from the Improvements. Therefore, the annual cost per Phase 1 lot is \$531.14.

These figures are more particularly explained in the Engineer's Report for the project prepared by Toma & Associates (Jesse B. Shaw, R.P.E. 36436) dated July 31, 2007, updated June 26, 2015 and August 17, 2015, and the calculation of the annual adjustments from 2004 to 2015 using the California Construction Cost Index, which are available for review at the offices of Amador County Transportation and Public Works, 810 Court Street, Jackson, CA 95642.

The Engineer's Report has also found that, as additional lots in later phases of Pine Grove Bluffs are developed, the total costs of all improvements should be shared among all lots in the same fashion as set forth above (i.e., costs of maintenance, repair and replacement of roads and associated drainage structures and conveyances will be apportioned equally among all lots). The assessment is proportional to the special benefit derived by each identified parcel in relationship to the entirety of the cost of the property related service being provided. No assessment exceeds the reasonable cost of the proportional special benefit conferred on that parcel. The remainder of the Pine Grove Bluffs project consists of 15 additional lots, to be constructed in one or more phases, for a total of 28 lots in the Pine Grove Bluffs Subdivision.

Until recordation of final maps for later phases of Pine Grove Bluffs, only Phase 1 lots will benefit from the Improvements. Therefore, until recordation of additional final maps, the entire cost of the assessment for the Improvements will be apportioned to Lots 1-4 and 20-28.

The actual amount assessed against each Lot for the Improvements will be adjusted for inflation or deflation as of the time of acceptance of dedication of the completed Improvements.

As additional final maps are recorded, the number of lots that will bear the total assessment costs will increase. Therefore, at the time of completion and acceptance of the recordation of additional final maps, the revised assessment cost for each parcel will be apportioned among the total number of lots created in all such phases. Total annual maintenance, repair and replacement costs for all improvements will continue to be apportioned equally to all lots in all phases. For example, if all maps were recorded creating a total of 28 lots in Phase 1 and all later phases, the annual assessment for each lot will be \$246.60 (in 2015 dollars) for the combined road and drainage system length of 3,244 feet for all phases.

The above figures have been developed for Fiscal Year 2015-16. If the roads are not accepted by September 2015, the assessment for the Phase 1 Improvements will be adjusted for inflation or deflation using the Index (defined below).

After imposition of the assessments for the Improvements, the annual assessments for Zone of Benefit 13 will be adjusted as follows:

The annual per mile cost of \$8,000 for maintenance, repair and replacement of roads and associated drainage structures and conveyances will be adjusted annually for inflation or deflation using the cost listed above for Fiscal Year 2004-05 as the Base Year and the Construction Cost Index 20 City 1913=100 (the "Index"), as published in *Engineering News-Record* and available at www.enr.com (or a replacement index having most nearly the same effect). Adjustments shall be calculated as follows: Upon acceptance of dedication of the Improvements, the total amount of the assessment listed above shall be multiplied by a fraction, the numerator of which shall be the Index of the calendar month immediately prior to the month in which the adjustment is to take effect, and the denominator of which shall be the Index for the calendar month in which Zone of Benefit 13 is formed by the Board of Supervisors. Additional inflationary adjustments shall be made as of July 1 of each year, using the Index for the immediately preceding June as the numerator and the Index of the calendar month in which Zone of Benefit 13 is formed as the denominator.