RECOMMENDED ACTION AND JUSTIFICATION:

1. Adopt the attached Resolution **Conditionally** Approving the Saint Andrews Road Maintenance Zone of Benefit;
2. Adopt the attached Resolution Establishing Assessment Fees and Upfront Zone Initiation Fees for the Saint Andrews Road Maintenance Zone of Benefit;
3. Authorize the Chairman of the Board to sign the attached Statement(s) of Zone Creation and Notice of Formation; and
4. Authorize the recordation of the Notice of Formation, as provided in the conditions.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On October 25, 1994, the Board adopted Resolution No. 94-465, A Resolution of Intention to form the Saint Andrews Road Maintenance Zone of Benefit, Mariposa Enterprises II, as owners/applicants. For additional details, see attached Staff Report.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not adopt this resolution; and require the applicant to develop another means to insure the maintenance of Saint Andrews Road. Applicant's have stated that without the zone, funding for their project is in jeopardy.

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COSTS:  

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Budgeted current FY&gt;</td>
<td>$</td>
</tr>
<tr>
<td>B. Total anticipated Costs&gt;</td>
<td>$</td>
</tr>
<tr>
<td>C. Required additional funding&gt;</td>
<td>$</td>
</tr>
<tr>
<td>D. Internal transfers&gt;</td>
<td>$</td>
</tr>
</tbody>
</table>

Balance in Reserve Contingencies, If Approved: $      

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SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:

1. Resolution of Formation (w/3 Exhibits: 7 pages)  
   w/Statement of Zone Formation
2. Fee Resolution (w/2 Exhibits: 4 pages)
3. Notice of Formation (w/2 Exhibits: 3 pages)
4. Staff Report (4 pages)
5. Scope of Work (1 page)
6. Estimate (1 page)
7. Cost Breakdown Spreadsheet (1 page)
8. Vicinity Map

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CLERK'S USE ONLY

Res. No.: 25-94  
Ord. No.:  
Vote - Ayes: 4  
Noes:  
Absent:  
Abstained:  
Approved   
Denied

Minute Order Attached   
No Action Necessary

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

Date:  

ATTEST:  
MARGIE WILLIAMS, Clerk of the Board

By:  
Deputy

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ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

[ ] Recommended
[ ] Not Recommended
[ ] For Policy Determination
[ ] Submitted for Comment
[ ] Returned for Further Action

Comment:  

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Action Form Revised 8/20/94
TO: MIKE EDWARDS, Public Works Director
FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: PUBLIC HEARING Re Formation of the Saint Andrews Road Maintenance Zone of Benefit; Mariposa Enterprises II, Owners/Applicants

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,
ADOPTED THIS Order on December 6, 1994

ACTION AND VOTE:

1:10 p.m. Mike Edwards, Public Works Director;
   A) PUBLIC HEARING on the Matter of Formation of the Saint Andrews Road Maintenance Zone of Benefit; Mariposa Enterprises II, Owners/Applicants
   BOARD ACTION: Staff report was presented by Mike Edwards/Public Works Director, and Bruce Atkinson/Public Works. Staff responded to questions from County Counsel relative to conditions for completion of the road and what authority there is to require a maintenance program if the resolution is rescinded. Staff responded to questions from the Board relative to road standards, length of the road and associated maintenance costs, and relative to annexation requirements. Public portion of the hearing was opened and the following provided input. Vince Kehoe/agent for the applicant, stated the applicant agrees to the conditions. Bob Spears/representing Saint Andrews Church, asked if Saint Andrews Road would be paved all the way through. Bruce Atkinson responded relative to the proposal in the tentative plan that was submitted. Public portion of the hearing was closed and Board commenced with deliberations. (M) Parker, (S) Balmain, Res. 94-516 adopted conditionally approving the Saint Andrews Road Maintenance Zone of Benefit; Res. 94-517 adopted establishing assessment fees and upfront Zone initiation fees for the Saint Andrews Road Maintenance Zone of Benefit; authorizing Chairman to sign the Statement of Zone Creation and Notice of Formation; and authorizing the recordation of the Notice of Formation, as provided in the conditions/Ayes: Baggett, Balmain, Erickson, Parker; Excused: Taber.

cc: File
A RESOLUTION ESTABLISHING ASSESSMENT FEES FOR THE
SAINT ANDREWS ROAD MAINTENANCE ZONE OF BENEFIT
(Not to be codified)

WHEREAS, Zones of Benefit created prior to January 1, 1996 are to be assessed fees during the calendar year of 1996, for the services included in the "zone" being created.

WHEREAS, the fees were established through public hearing process;

NOW, THEREFORE, BE IT RESOLVED, THE BOARD OF SUPERVISORS, of the County of Mariposa, a political subdivision of the State of California, that the Board hereby establishes as follows:

SECTION I: In regards to the SAINT ANDREWS ROAD MAINTENANCE ZONE OF BENEFIT; during the public hearing on December 6, 1994, the total fees established were: (1) the up-front costs to initiate this zone, an amount of three thousand four hundred ten dollars ($3,410.00); and (2) for the first year's assessment (1996), an amount of one thousand five hundred ninety dollars ($1,590.00). Said fees shall be apportioned equally among the parcels that exist within the boundaries of the zone. In 1996, the two (2) parcels that existed at the time of formation, shall be assessed a yearly sum of seven hundred ninety five dollars ($795.00) each. Said fees shall be reviewed annually, and adjusted by Board of Supervisors. Said zone of benefit was approved and adopted by Board Resolution No. 94-516. A legal description and map of the boundaries are attached hereto and marked Exhibits "A" and Exhibit "B", and by reference incorporated herein.

SECTION II: This Resolution shall become effective thirty days from the date of final passage pursuant to California Government Code Section 25123.
A RESOLUTION ESTABLISHING ASSESSMENT FEES FOR THE SAINT ANDREWS ROAD MAINTENANCE ZONE OF BENEFIT
(Not to be codified)

PASSED AND ADOPTED this 6th day of December, 1994
by the Mariposa County Board of Supervisors by the following vote:

AYES: BAGGETT, BALMAIN, ERICKSON, PARKER

NOES: NONE

ABSENT: TABER

ABSTAINED: NONE

ARTHUR G. BAGGETT, JR., CHAIRMAN
Mariposa County Board of Supervisors

ATTEST:

MARGIE WILLIAMS
Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

JEFFREY G. GREEN
County Counsel
EXHIBIT "A"

LEGAL DESCRIPTION FOR SAINT ANDREWS ROAD
MAINTENANCE ZONE OF BENEFIT

All that portion of Projected Section 14, Township 5 South, Range 18 East, Mount Diablo Base and Meridian, Rancho Las Mariposas, County of Mariposa, State of California, known as Parcels B and C, as shown on that certain Parcel Map for Jeannette Stewart and Katharine Hoyle, recorded on June 8, 1982, in Book 20 of Parcel Maps at Page 13, Mariposa County Records, and being more particularly described as follows:

Commencing at the West quarter section corner of Projected Section 14, Township 5 South, Range 18 East, Mount Diablo Base and Meridian, Rancho Las Mariposas, County of Mariposa, State of California, thence N 09° 37' 22" E, 366.80 feet to the most southerly point of said Parcel C, as shown on said map; said point being the TRUE POINT OF BEGINNING for this description, thence N 02° 10' 15" W, 225.29 feet; thence N 69° 37' 23" E, 149.94 feet; thence N 69° 41' 50" E, 150.08 feet; thence N 19° 25' 37" W, 328.44 feet; thence N 25° 08' 36" E, 270.50 feet; thence S 36° 54' 34" E, 607.60 feet; thence S 53° 07' 34" W, 496.90 feet; thence S 38° 57' 03" W, 104.71 feet; thence S 84° 06' 04" W, 181.00 feet, more or less, to the POINT OF BEGINNING, said point being the terminal point of this description which describes ±5.53 more or less acres of land.

This Description was prepared by me or under my supervision and is based on Record Data.

Roger L. Stephens, R.C.E. 27317

Date
St. Andrews Road
Maintenance Zone of Benefit

Situated in Projected Section 14, T.5 S., R.18 E., M.D.B. & M.
Rancho Las Mariposas, County of Mariposa
State of California