

DEPARTMENT: Public Works By: Bruce A. Atkinson Phone: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes\_\_\_ No\_X)

1. Adopt the attached Resolution Approving The Zone Of Benefit For: Parcel Map for Tom O'Malley; and
2. Adopt the attached Ordinance Establishing Assessment Fees For: Parcel Map for Tom O'Malley;
3. Authorize the Chairman of the Board to sign the attached: Statement(s) of Zone Creation; and
4. Authorize the recordation of a Notice of Formation.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On September 8, 1992, the Board adopted a Resolution of Intention to form a Zone of Benefit for the Parcel Map for Tom O'Malley. An application had been filed as a condition of approval of a four (4) parcel minor subdivision with legal access off of Ponderosa Way. For additional details, see attached Staff Report dated October 5, 1992.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not adopt this resolution; and have the applicant develop another means to insure the maintenance of his land division road.

COSTS:  Not Applicable

A. Budgeted current FY \$ \_\_\_\_\_

B. Total anticipated costs \$ \_\_\_\_\_\*

C. Required additional funding \$ \_\_\_\_\_

D. Internal transfers \$ \_\_\_\_\_

SOURCE:  4/5th Vote Required

A. Unanticipated revenues \$ \_\_\_\_\_

B. Reserve for contingencies \$ \_\_\_\_\_

C. Source description: \* Costs will be paid by owners within Zone

Balance in Reserve Contingencies, if approved: \$ \_\_\_\_\_

SPECIAL INSTRUCTIONS:  
List the attachments and number the pages consecutively:

1. Resolution approving zone/Statement of Zone Creation \_\_\_\_\_

2. Ordinance establishing fees \_\_\_\_\_

3. Notice of Zone Formation \_\_\_\_\_

4. Staff Report \_\_\_\_\_

5. Vicinity Maps \_\_\_\_\_

CLERK'S USE ONLY

Res. No.: 92-549 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  
County of Mariposa, State of California

By: \_\_\_\_\_  
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:  
This item on agenda as:

Recommended

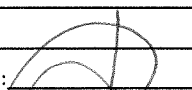
Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

Comment: \_\_\_\_\_

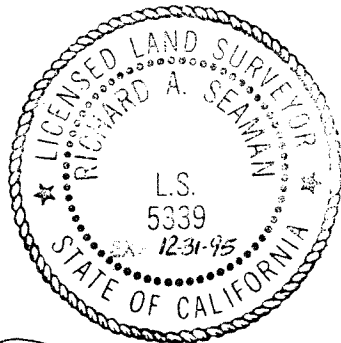
A.O. Initials: 

2. northwesterly along said curve, through a central angle of  $26^{\circ}18'00''$ , an arc distance of 344.27 feet to the point of tangency; thence
3.  $N30^{\circ}09'13''W$  for 190.32 feet to a point, said point being the beginning of a non-tangent curve, concave to the southwest, having a radius of 730.00 feet, to said point a radial line bears  $N61^{\circ}55'49''E$ ; thence
4. northwesterly along said curve, thorough a central angle of  $4^{\circ}09'05''$ , an arc distance of 52.89 feet; thence
5.  $N30^{\circ}09'13''W$  for 18.15 feet; thence
6.  $N36^{\circ}04'11''W$  for 267.26 feet; thence
7.  $N52^{\circ}27'02''W$  for 236.09 feet; thence
8.  $N51^{\circ}04'01''W$  for 3.28 feet to a point on the westerly line of said SE1/4 SW1/4; thence, leaving the northeasterly line of said State Highway 140,  $N01^{\circ}55'44''E$ , along the westerly line of said SE1/4 SW1/4, for 1098.96 feet to the northwest corner thereof; thence  $S89^{\circ}34'05''E$ , along

the northerly line of said SE1/4 SW1/4, for 1372.84 feet to the northeast corner thereof; thence S04°16'46"W, along the easterly line of said SE1/4 SW1/4, for 1300.49 feet, more or less, to the POINT OF BEGINNING.

The above described tract of land contains 52.49 acres, more or less, and is subject to any rights-of-way or easements of record or legally acquired.

Prepared by:



Richard A. Seaman, L.S. 5339

10/6/93  
Date

A RESOLUTION APPROVING THE LEICHTLIN LANE MAINTENANCE ZONE OF BENEFIT  
FOR THE PARCEL MAP FOR TOM O'MALLEY ET AL

WHEREAS, Section II.I.2 (page 17) of the Mariposa County Road Improvement and Circulation Policy requires the formation of a Zone of Benefit on all subdivision roads that serve more than four parcels; and

WHEREAS, the applicant, Tom O'Malley, has petitioned Mariposa County for the creation of the Leichtlin Lane Maintenance Zone of Benefit, in association with the Parcel Map for Tom O'Malley etal; and

WHEREAS, the Board of Supervisors, through Resolution No. 92-466, filed a Resolution of Intention to form a Zone of Benefit, as required by Government Code Section 25210.32, and set a date and time for a public hearing; and

WHEREAS, on October 20, 1992, the Board of Supervisors held a duly noticed public hearing on the question of forming the Leichtlin Lane Maintenance Zone of Benefit; and

WHEREAS, the Board of Supervisors, received no dissenting public input at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Mariposa County Board of Supervisors, a political subdivision of the State of California, that the Board hereby approves the creation of the LEICHTLIN LANE MAINTENANCE ZONE OF BENEFIT, as described and shown on attached STATEMENT OF ZONE CREATION.


PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 20th day of October, 1992, by the following vote:

AYES: BAGGETT, ERICKSON, RADANOVICH, TABER


NOES: NONE

ABSENT: PUNTE

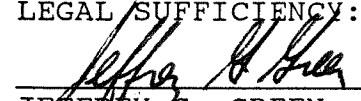
ABSTAINED: NONE

  
\_\_\_\_\_  
SALLY S. PUNTE, Chairman  
Mariposa County Board of Supervisors

ATTEST:

  
\_\_\_\_\_  
MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

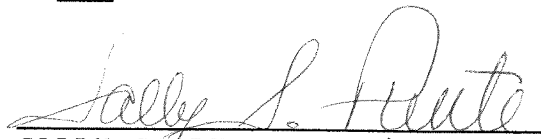
  
\_\_\_\_\_  
JEFFREY G. GREEN, County Counsel

STATEMENT OF ZONE CREATION

In accordance with Sections 54900-54903 of the California Government Code, this statement is hereby issued by the Chairman of the Board of Supervisors of the County of Mariposa, acting as Chairman of the Board of Directors of the Countywide County Service Area No. 1, County of Mariposa, State of California.

1. A certified copy of the resolution approving the creation of the LEICHTLIN LANE MAINTENANCE ZONE OF BENEFIT is attached hereto and titled "MARIPOSA COUNTY RESOLUTION NO. 92-549 -- A RESOLUTION APPROVING THE LEICHTLIN LANE MAINTENANCE ZONE OF BENEFIT FOR THE PARCEL MAP FOR TOM O'MALLEY ETAL, and by reference incorporated herein. A legal description and map of the boundaries are attached hereto and marked Exhibits "A" and Exhibit "B", and by reference incorporated herein.
2. The affected territory included within this newly created zone of benefit will not be taxed for any existing bonded indebtedness or contractual obligation.
3. This statement, along with the attached map and legal description, shall be filed prior to January 1 of the year in which the jurisdictional change is to be reflected on the tax rolls and shall be filed with each assessor whose roll is used for the levy and with the State Board of Equalization, Sacramento, California.

DATED: 10-22, 1992.

  
\_\_\_\_\_  
SALLY S. PUNTE, Chairman  
Mariposa County Board of Supervisors

ATTEST:

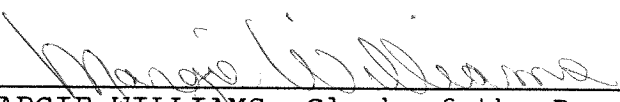
  
\_\_\_\_\_  
MARGIE WILLIAMS, Clerk of the Board

EXHIBIT A

A tract of land situated in a portion of the Southeast quarter of the Southwest quarter (SE1/4 SW1/4) of Section 24 and in a portion of the North half of Lot 1 of the Northwest quarter of Section 25, all in Township 4 South, Range 18 East, M.D.B. & M., according to the Official Plats thereof, Mariposa County, State of California, said tract of land being more particularly described as follows:

BEGINNING at the northeast corner of the North half of said Lot 1; thence S01°02'30"E, along the easterly line of the North half of said Lot 1, for 652.67 feet to the southeast corner thereof; thence S89°50'18"W, along the southerly line of the North half of said Lot 1, for 571.83 feet to a point on the northeasterly line of State Highway 140 as said State Highway 140 is delineated on that certain map entitled "10 MPA 140" on file at the Mariposa County Public Works Department; thence, leaving the southerly line of the North half of said Lot 1 and traversing along the northeasterly line of said State Highway 140, the following eight (8) courses and distances:

1. N56°27'13"W for 48.44 feet to the beginning of a tangent curve, concave to the northeast, having a radius of 750.00 feet; thence

Recording Requested By:  
Mariposa Public Works Department

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When recorded mail to:

Public Works Department  
County of Mariposa  
4639 Ben Hur Road  
Mariposa, CA 95338

A.P.N. 008-170-026-0


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**NOTICE OF ZONE FORMATION**

This notice is being recorded as a matter of constructive notice to any potential buyers of Parcels A, B, C, or D as shown on the Parcel Map for Tom O'Malley etal, recorded in Book \_\_\_\_ of Parcel Maps at Page \_\_\_\_, Mariposa County Records, that these parcels are subject to yearly assessments for the maintenance of Leichtlin Lane.

On October 20, 1992, the Board of Supervisors of the County of Mariposa held a duly noticed public hearing on the questions of forming the Leichtlin Lane Maintenance Zone of Benefit for the Parcel Map for Tom O'Malley etal, and did pass and adopt "MARIPOSA COUNTY RESOLUTION NO. 92-549 -- A RESOLUTION APPROVING THE LEICHTLIN LANE MAINTENANCE ZONE OF BENEFIT FOR THE PARCEL MAP FOR TOM O'MALLEY ETAL. A legal description and map of the boundaries are attached hereto and marked Exhibits "A" and Exhibit "B", and by reference are incorporated herein.

Pursuant to Section 54902 of the California Government Code, assessments for this Zone of Benefit shall begin for the Fiscal Year 1993-1994, or the period July 1, 1993 to June 30, 1994.

DATED: 10-22, 1992.

  
\_\_\_\_\_  
SALLY S. PUNTE, Chairman  
Mariposa County Board of Supervisors

ATTEST:

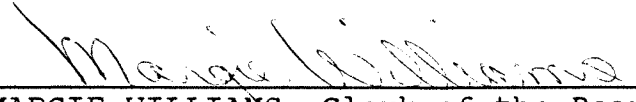
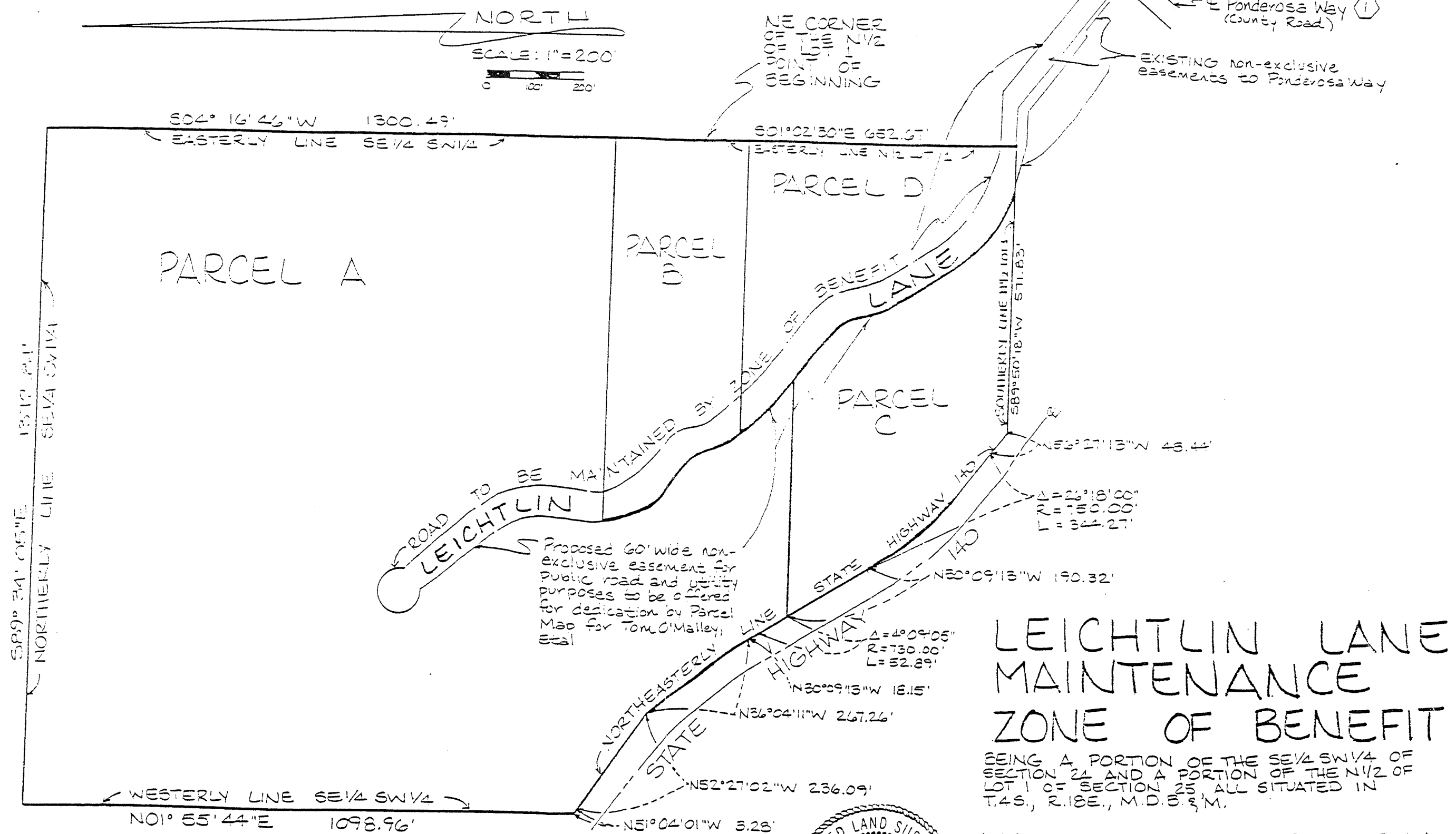
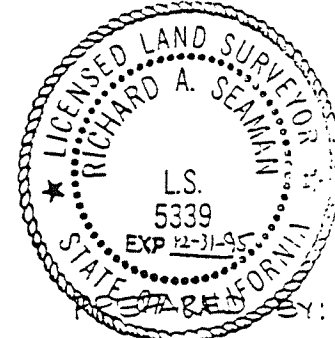
  
\_\_\_\_\_  
MARGIE WILLIAMS, Clerk of the Board

EXHIBIT "B"



Ⓛ Ponderosa Way, existing County maintained road, not to be maintained by this Zone of Benefit.



Richard A. Seaman, L.S. 5339

FREEMAN & SEAMAN LAND SURVEYORS, PO BOX 1305 / 503 BULLION ST. / MARIPOSA, CA 95338 (209) 966-3926

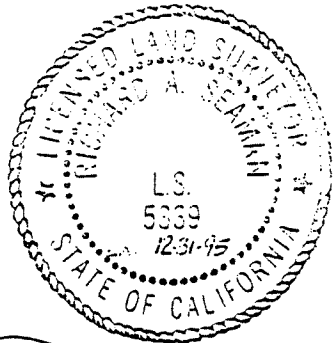



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10/6/97  
Date

