

file 8-13-91

DEPARTMENT: Public Works

By: Bruce A. Atkinson

Phone: 966-5356

RA 8

RECOMMENDED ACTION AND JUSTIFICATION:

Waive 2nd Rdg + Adopt Ord.

1. Adopt the attached Resolution Approving The Zone Of Benefit for: Miami Mountain Snowplowing;
2. Adopt the attached Ordinance Establishing Assessment Fees For Miami Mountain Snowplowing Zone Of Benefit; and
3. Authorize the Chairman of the Board to sign the attached: Statement(s) of Zone Creation.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On June 18, 1991, the Board adopted a Resolution of Intention to form a Zone of Benefit for Miami Mountain Snow Plowing. An application had been filed as a condition of approval of a four (4) lot land division with access off of Kemble Road (Bootjack-Ahwahnee Road). For additional details, see attached memo to the Board dated August 8, 1991.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Do not adopt these measures and have the applicant develop other means to insure the snowplowing of Kemble Road.

COSTS: (xx) Not Applicable

- A. Budgeted current F.Y. \$ _____
- B. Total anticipated costs \$ _____ *
- C. Required Add'l. Funding \$ _____
- D. Source: * Costs will be paid by the property owners within the zone.

SOURCE: () 4/5ths Vote Required

- A. Other budgeted funds \$ _____
- B. Unanticipated revenues \$ _____
- C. Reserve for contingencies \$ _____
- D. Description: _____

Balance in Reserve for 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. Discussion & fee schedules

CLERK'S USE ONLY

Res. No.: 91-368
 Ord. No.: 804
 Vote - Ayes: 5 - Noes: 5
 Absent: _____ Abstained: _____
 Approved () Denied ()
 Minute Order Attached ()

ADMINISTRATIVE OFFICER'S

RECOMMENDATION:

This item on agenda as:

- Recommended
- Not Recommended
- For Policy Determination
- Submitted with Comment
- Returned for Further Action

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

Date: _____

ATTEST: MARGIE WILLIAMS

Clerk of the Board of Supervisors

County of Mariposa, State of CA

By: _____

Deputy

Comment: _____

A.O. Initials: [Signature]

[Signature]

MARIPOSA COUNTY ORDINANCE NO. 804

AN ORDINANCE ESTABLISHING ASSESSMENT FEES FOR
MIAMI MOUNTAIN SNOWPLOWING ZONE OF BENEFIT
(Not to be codified)

WHEREAS, Zones of Benefit created prior to January 1, 1992 are to be assessed fees during the calendar year of 1992, for the services included in the "zone" being created.

WHEREAS, the fees were established through 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 **MIAMI MOUNTAIN SNOWPLOWING ZONE OF BENEFIT**; during the public hearing on August 6, 1991, the total fees established were: (1) the up-front costs to initiate this zone, an amount of two thousand four hundred eighty eight dollars (\$2,488.00); and (2) for the first year (1992), an amount of one thousand four dollars (\$1,004.00). Said fees shall be apportioned equally among lots that exist within the boundaries of the zone. In 1992, the sixteen (9) lots that exist at the time of formation, shall be assessed a yearly sum of one hundred eleven dollars and fifty six cents (\$111.56) each. Said fees shall be reviewed annually, and adjusted by Board of Supervisors. Said zone of benefit was approved and adopted by Board Resolution 91-368. 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 ordinance shall become effective thirty days from the date of final passage pursuant to California Government Code Section 25123.

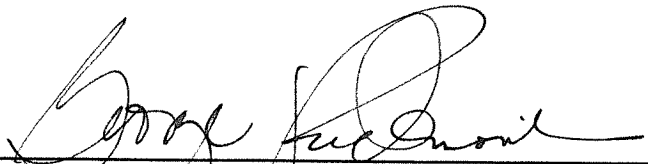
PASSED AND ADOPTED this 13th day of August, 1991
by the Mariposa County Board of Supervisors by the following
vote:

AYES: Baggett, Punte, Erickson, Radanovich, Taber

NOES: None


ABSENT: None

ABSTAINED: None



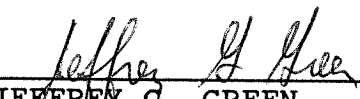
GEORGE P. RADANOVICH, Chairman
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS
Clerk of the Board

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



JEFFREY G. GREEN
County Counsel

EXHIBIT A

A tract of land, being Lots numbered 11 and 12 in the Southeast quarter of Section 1, also the North half of Lots 6 and 7 in the Northeast quarter of Section 12; also, the Southwest quarter (SW1/4) of Section 1, all in Township 6 South, Range 20 East, M.D.B. & M., all lying and being South and West of the centerline of the now existing Mariposa Ahwahnee Road, Mariposa County, State of California, said tract of land being more particularly described as follows:

BEGINNING at the southwest corner of the SW1/4 of said Section 1; thence $N00^{\circ}19'47''E$, along the westerly line of the SW1/4 of said Section 1, for 2699.38 feet to the northwest corner thereof; thence $N88^{\circ}44'05''E$, along the northerly line of the SW1/4 of said Section 1, for 1184.62 feet to a point on the centerline of that certain Mariposa County Road known as Kemble Road, said point also being a point on a curve concave the northeast having a radius of 450.00 feet, to which point a radial line bears $S53^{\circ}36'02''W$; thence in a generally southeasterly direction, along the centerline of said Road, the following forty (40) courses and distances:

- 1.) southeasterly along said last mentioned curve, through a central angle of $13^{\circ}29'41''$, an arc distance of 105.99 feet to the point of tangency; thence

- 2.) S49°53'39"E for 221.16 feet to the beginning of a tangent curve concave to the northeast having a radius of 540.00 feet; thence
- 3.) southeasterly along said curve, through a central angle of 33°07'48", an arc distance of 312.24 feet to the point of tangency; thence
- 4.) S83°01'27"E for 118.86 feet to the beginning of a tangent curve concave to the southwest having a radius of 225.00 feet; thence
- 5.) southeasterly along said curve, through a central angle of 41°22'14", an arc distance of 162.46 feet to the point of tangency; thence
- 6.) S41°39'13"E for 70.55 feet to the beginning of a tangent curve concave to the northeast having a radius of 250.00 feet; thence
- 7.) southeasterly along said curve, through a central angle of 35°15'29", an arc distance of 79.44 feet to the point of tangency; thence
- 8.) S76°54'42"E for 92.99 feet to the beginning of a tangent curve concave to the southwest having a radius of 1800.00 feet; thence
- 9.) easterly along said curve, through a central angle of 02°42'46", an arc distance of 85.23 feet to the point of tangency; thence

- 10.) S74°11'56"E for 288.98 feet to the beginning of a tangent curve concave to the southwest having a radius of 410.00 feet; thence
- 11.) southeasterly along said curve, through a central angle of 50°11'56", an arc distance of 359.22 feet to the point of tangency; thence
- 12.) S24°00'00"E for 73.23 feet to the beginning of a tangent curve concave to the northwest having a radius of 260.00 feet; thence
- 13.) southerly along said curve, through a central angle of 58°07'34", an arc distance of 263.77 feet to the point of tangency; thence
- 14.) S34°07'34"W for 137.05 feet to the beginning of a tangent curve concave to the northeast having a radius of 180.00 feet; thence
- 15.) southerly along said curve, through a central angle of 75°56'58" an arc distance of 238.60 feet to the point of tangency; thence
- 16.) S41°49'24"E for 97.21 feet to the beginning of a tangent curve concave to the northeast having a radius of 480.00 feet; thence
- 17.) southeasterly along said curve, through a central angle of 14°06'59", an arc distance of 118.26 feet to the point of tangency; thence

- 18.) S55°56'23"E for 96.22 feet to the beginning of a tangent curve concave to the southwest having a radius of 355.00 feet; thence
- 19.) southeasterly along said curve, through a central angle of 49°34'54", an arc distance of 307.21 feet to the point of tangency; thence
- 20.) S06°21'29"E for 88.82 feet to the beginning of a tangent curve concave to the northeast having a radius of 150.00 feet; thence
- 21.) southeasterly along said curve, through a central angle of 52°49'49", an arc distance of 138.31 feet to the point of tangency; thence
- 22.) S59°11'18"E for 36.87 feet to the beginning of a tangent curve concave to the southwest having a radius of 405.00 feet; thence
- 23.) southeasterly along said curve, through a central angle of 14°10'09", an arc distance of 100.16 feet to the point of tangency; thence
- 24.) S45°01'09"E for 76.91 feet to the beginning of a tangent curve concave to the northeast having a radius of 265.00 feet; thence
- 25.) southeasterly along said curve, through a central angle of 32°41'49", an arc distance of 151.23 feet to the point of tangency; thence

- 26.) S77°42'58"E for 66.09 feet to the beginning of a tangent curve concave to the southwest having a radius of 200.00 feet; thence
- 27.) southeasterly along said curve, through a central angle of 45°00'00", an arc distance of 157.08 feet to the point of tangency; thence
- 28.) S32°42'58"E for 154.03 feet to the beginning of a tangent curve concave to the northeast having a radius of 40.00 feet; thence
- 29.) easterly along said curve, through a central angle of 80°00'00", an arc distance of 55.85 feet to the point of tangency; thence
- 30.) N67°17'02"E for 20.00 feet; thence
- 31.) S22°42'58"E for 118.40 feet to the beginning of a tangent curve concave to the northeast having a radius of 500.00 feet; thence
- 32.) southeasterly along said curve, through a central angle of 24°00'00", an arc distance of 209.44 feet to the point of tangency; thence
- 33.) S46°42'58"E for 364.54 feet to the beginning of a tangent curve concave to the northeast having a radius of 720.00 feet; thence
- 34.) southeasterly along said curve, through a central angle of 08°54'59", an arc distance of 112.05 feet to the point of tangency; thence

35.) S55°37'57"E for 116.68 feet to the beginning of a tangent curve concave to the southwest having a radius of 720.00 feet; thence

36.) southeasterly along said curve, through a central angle of 14°18'53", an arc distance of 179.88 feet to the point of tangency; thence

37.) S41°19'04"E for 242.10 feet to the beginning of a tangent curve concave to the southwest having a radius of 140.00 feet; thence

38.) southerly along said curve, through a central angle of 62°26'32", an arc distance of 152.58 feet to the point of tangency; thence

39.) S21°07'28"W for 26.83 feet to the beginning of a tangent curve concave to the southeast having a radius of 240.00 feet; thence

40.) southerly along said curve, through a central angle of 25°18'16", an arc distance of 106.00 feet to a point on the southerly line of the north half of said Lot 6, to which point a radial line bears S85°49'12"W; thence, leaving the centerline of said Road, S88°58'35"W, along the southerly lines of the North half of said Lots 6 and 7, for 2081.15 feet to the southwest corner of the North half of said Lot 7; thence N00°32'08"W, along the westerly line of the North half of said Lot 7, for

1338.27 feet to the southeast corner of the SW1/4 of said Section 1; thence S87°27'51"W, along the southerly line of the SW1/4 of said Section 1, for 2742.23 feet, more or less, to the POINT OF BEGINNING.

EXCEPTING THEREFROM the following described parcel of land; Commencing at the southwest corner of the SW1/4 of said Section 1; thence N40°59'19"E a distance of 2699.06 feet to the POINT OF BEGINNING of the herein described parcel of land; thence N17°53'11"E for 51.58 feet; thence S80°38'40"E for 52.23 feet; thence S17°49'03"W for 51.79 feet; thence N80°24'24"W for 52.26 feet, more or less, to the POINT OF BEGINNING.

The above described tract of land contains 217.08 acres, more or less.

Prepared by:



Jerome S. Freeman
Jerome S. Freeman, L.S. 4079

May 1, 1991
Date



LEGEND

- ① Found monuments not established
- ② Not a part of this survey
- ③ Not a part of this survey unless otherwise noted
- ④ Unfinished corner monument (found where the 30' line R.O.D. is not bearing a true bearing)
- ⑤ The monument is on the 30' line R.O.D. but the bearing is not a true bearing
- ⑥ The monument is on the 30' line R.O.D. but the bearing is not a true bearing
- ⑦ The monument is on the 30' line R.O.D. but the bearing is not a true bearing
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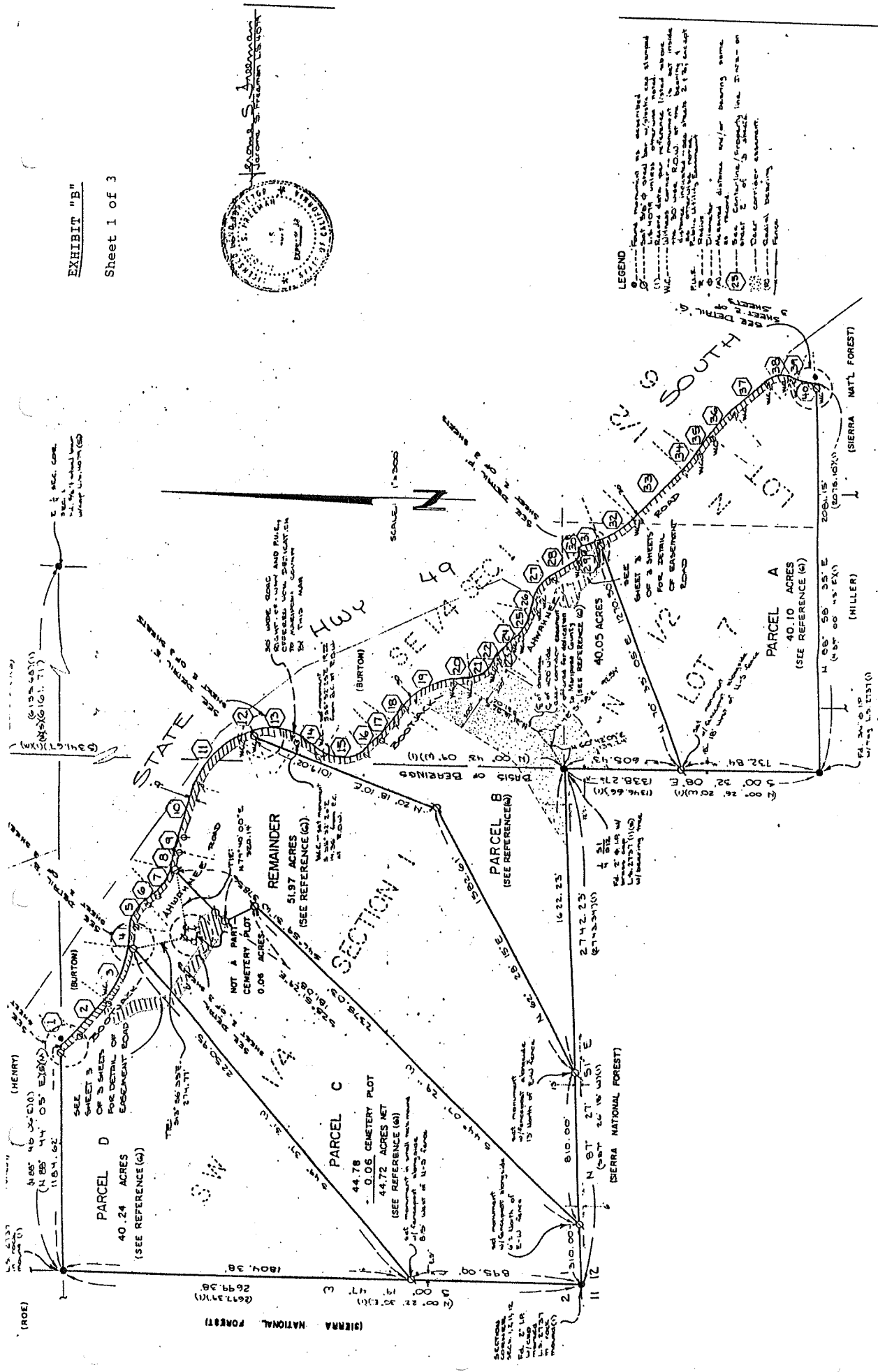
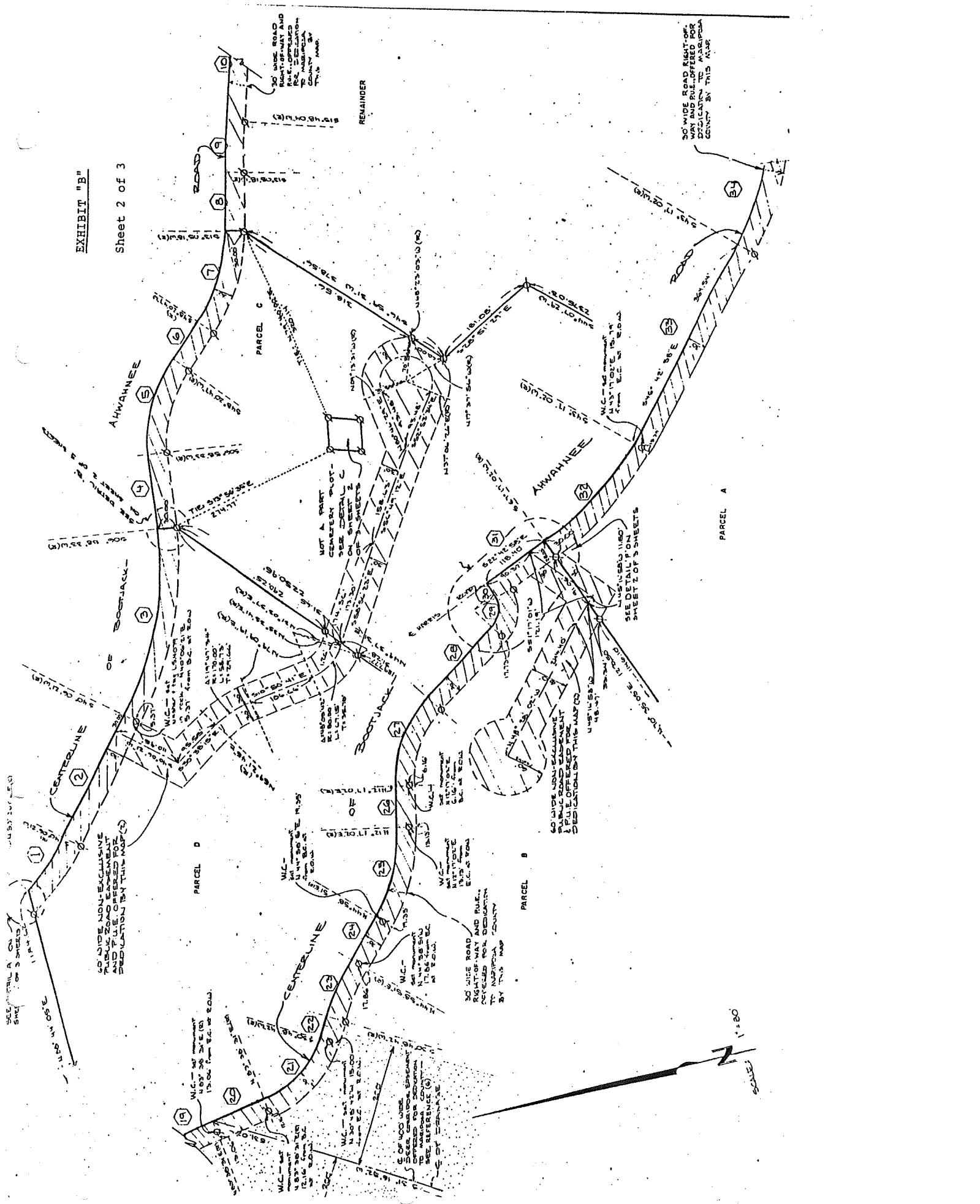


EXHIBIT "B"

Sheet 2 of 3



SEE SHEET A ON SHEET 1 OF 3 SHEETS

30 WIDE ROAD EXCLUSIVE RIGHT-OF-WAY AND RULE OFFERED FOR DEDICATION BY THIS MAP

N.C. - 44 monument 143' 36" S 74° 15' 15" W 130.0' from E.C. to E.O.W.

N.C. - 44 monument 143' 36" S 74° 15' 15" W 130.0' from E.C. to E.O.W.

30 WIDE ROAD EXCLUSIVE RIGHT-OF-WAY AND RULE OFFERED FOR DEDICATION TO MARSHALL COUNTY BY THIS MAP

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PARCEL A

PARCEL B

PARCEL C

PARCEL D

SCALE 1" = 40'

