

DEPARTMENT: Public Works

By: Bruce A. Atkinson

Phone: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No X)

1. Adopt the attached Resolution Finally Dissolving The Apple Seed Lane Maintenance Zone of Benefit;
2. Authorize the Chairman of the Board to sign the attached Notice of Zone Dissolutionment;
3. Authorize the filing of the Statement of Zone Dissolutionment with the State Board of Equalization;
4. Authorize the recordation of the Notice of Zone Dissolutionment, into the Official Records; and
5. Authorize the release of all unencumbered proceeds from The Apple Seed Lane Maintenance Zone of Benefit account to the home owners association, less any sums incurred by Mariposa County to dissolve said zone of benefit, and all existing debts and/or obligations are satisfied.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On March 5, 1996, the Board of Supervisors, adopted Resolution No. 96-87, A Resolution Conditionally Dissolving the Apple Seed Lane Maintenance Zone of Benefit. On December 26, 1996, the applicant satisfied the final condition by filing the associated parcel map. Since this action is taking place after the final filing deadline for 1996 (November 30, 1996) with the State Board of Equalization, a revised State of Zone Dissolutionment and Notice of Zone Dissolutionment have been provided, to reflect the date of this final action.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not adopt this resolution and maintain the existing zone of benefit in place to insure the maintenance of the Apple Seed Lane road system.

COSTS: (X) Not Applicable

A. Budgeted current FY> \$ _____

B. Total anticipated Costs> \$ _____

C. Required additional funding> \$ _____

D. Internal transfers> \$ _____

COSTS: () 4/5th Vote Required

A. Unanticipated revenues> \$ _____

B. Reserve for contingencies> \$ _____

C. Source description: > _____

Balance in Reserve Contingencies, If Approved:
\$ _____

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:

1. Resolution Finally Dissolving the Apple Seed Lane Zone of Benefit w/Statement of Zone Dissolutionment (w/3 Exhibits: 9 pages)
2. Notice of Dissolutionment (w/2 Exhibits: 5 pages)

CLERK'S USE ONLY

Res. No.: 97-66 Ord. No.: _____

Vote - Ayes: 5 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

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

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

Comment: _____

A.O. Initials: jh

MARIPOSA COUNTY RESOLUTION N^o 97-66

A RESOLUTION FINALLY DISSOLVING THE
APPLE SEED LANE MAINTENANCE ZONE OF BENEFIT

(Not to be codified)

WHEREAS, Zones of Benefit dissolved prior to November 30, 1997 are to be assessed fees during the calendar year of 1997, for the services previously rendered in the "zone" being dissolved; and

WHEREAS, the existing fees were established through a public hearing process held on September 11, 1996, and validated through Mariposa County Resolution No. 96-378, adopted on September 11, 1996; and

WHEREAS, the existing Apple Seed Lane Maintenance Zone of Benefit was conditionally dissolved following a public hearing process held on March 5, 1996; and

WHEREAS, the applicant fulfilled the conditions stipulated by filing the associated Parcel Map on December 26, 1996;

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 **APPLE SEED LANE MAINTENANCE ZONE OF BENEFIT**; during the public hearing on March 5, 1996, the Board adopted Resolution No. 96-87 conditionally dissolving the Apple Seed Lane Maintenance Zone of Benefit, and by this action finally approves the Dissolutionment process. All unencumbered funds that had previously been paid into the Auditor's account for the Apple Seed Lane Maintenance Zone of Benefit, shall be refunded to the associated Architectural Control Committee/Home Owners Association, allocated to said Association's maintenance fund, within sixty (60) days of the Board's adoption of this Resolution, less any sums incurred by Mariposa County to dissolve the **APPLE SEED LANE MAINTENANCE ZONE OF BENEFIT**.

A RESOLUTION FINALLY DISSOLVING THE
APPLE SEED LANE MAINTENANCE ZONE OF BENEFIT

(Not to be codified)

A legal description and map of the boundaries of said Zone of Benefit 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.

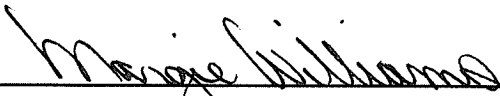
PASSED AND ADOPTED this 25th day of February, 1997 by the Mariposa County Board of Supervisors by the following vote:

- AYES:** Reilly, Balmain, Stewart, Parker, and Pickard
- NOES:** None
- ABSENT:** None
- ABSTAINED:** None



ROBERT C. STEWART, 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 DISSOLUTIONMENT

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 finally approving the dissolutionment of the **APPLE SEED LANE MAINTENANCE ZONE OF BENEFIT** is attached hereto and titled "**MARIPOSA COUNTY RESOLUTION NO. 97-66** — A **RESOLUTION FINALLY DISSOLVING THE APPLE SEED LANE MAINTENANCE ZONE OF BENEFIT**", 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 property being excluded from this existing zone of benefit will 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: March 4, 1997.



ROBERT C. STEWART, CHAIRMAN
Mariposa County Board of Supervisors

ATTEST:

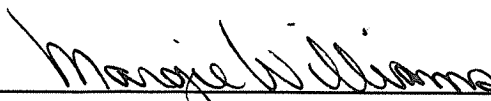

MARGIE WILLIAMS, Clerk of the Board

EXHIBIT A

A tract of land situated in a portion of the Southwest quarter (SW1/4) of Section 1, Township 6 South, Range 20 East, M.D.B. & M., Mariposa County, State of California, said tract of land also being identical to Parcel C as said Parcel is delineated on that certain map entitled "Parcel Map for the Vision Foundation Inc." recorded July 27, 1987 in Book 23 of Parcel Maps at Page 17, Mariposa County Records, said tract of land being more particularly described as follows:

BEGINNING at the southwest corner of said SW1/4; thence N89°27'51"E, along the southerly line of said SW1/4, for 310.00 feet; thence, leaving the southerly line of said SW1/4, N44°08'21"E for 2375.17 feet; thence N28° 51'38"W for 181.20 feet; thence N47°00'45"E for 378.55 feet; thence N13° 08'20"E for 30.00 feet to a point on the centerline of that certain Mariposa County road known as the Bootjack-Ahwahnee Road, said point also being a point on a non-tangent curve, concave to the northeast, having a radius of 250.00 feet, to said point a radial line bears S13°08'20"W; thence along the centerline of said road the following four (4) courses and distances:

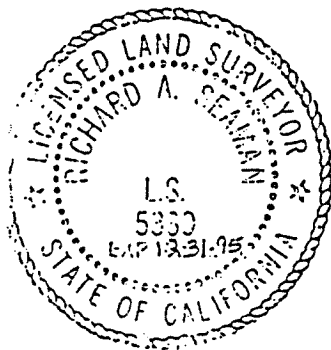
1. northwesterly along said curve, through a central angle of $35^{\circ}16'26''$, an arc distance of 153.91 feet to the point of tangency; thence
2. $N41^{\circ}35'14''W$ for 70.37 feet to the beginning of a tangent curve, concave to the southwest, having a radius of 225.00 feet; thence
3. northwesterly along said curve, through a central angle of $41^{\circ}23'20''$, an arc distance of 162.53 feet to the point of tangency; thence
4. $N82^{\circ}58'34''W$ for 118.74 feet to the beginning of a tangent curve, concave to the northeast, having a radius of 540.00 feet; thence, leaving the centerline of said road, $S07^{\circ}01'26''W$ for 30.00 feet; thence $S49^{\circ}38'15''W$ for 2250.62 feet to a point on the westerly line of said SW1/4; thence $S00^{\circ}23'01''W$, along the westerly line of said SW1/4, for 895.60 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM the Cemetery Plot as said Cemetery Plot is delineated on said map, said Cemetery Plot being more particularly described as follows:

Commencing at the southwest corner of said SW1/4; thence N89°27'51"E, along the southerly line of said SW1/4, a distance of 310.00 feet; thence N44°08'21"E a distance of 2375.17 feet; thence N28°51'38"W a distance of 181.20 feet; thence N19°32'16"W a distance of 160.64 feet to the POINT OF BEGINNING of the herein described Cemetery Plot; thence N80°24'26"W for 52.22 feet; thence N17°50'20"E for 51.57 feet; thence S80°38'42"E for 52.23 feet; thence S17°49'01"W for 51.79 feet to the POINT OF BEGINNING.

The above described tract of land contains 44.72 acres, more or less, and is subject to any rights-of-way or easements of record or legally acquired.

Prepared by:

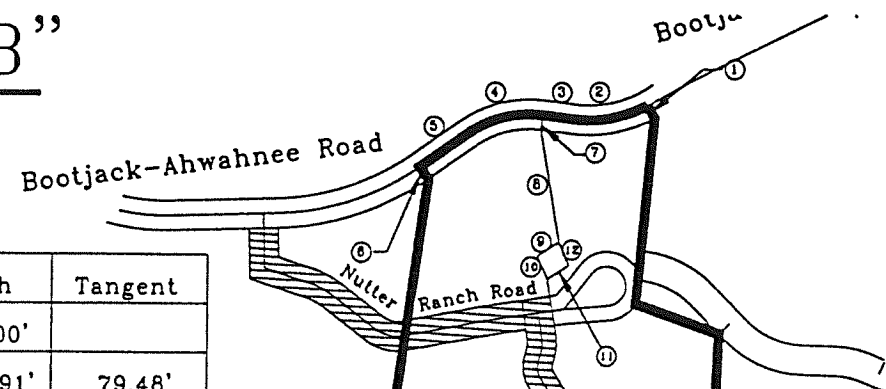



Richard A. Seaman, L.S. 5339


Date

EXHIBIT "B"

No	Radius	Bearing/Delta	Length	Tangent
①		N13°08'20"E	30.00'	
②	R=250'	35°16'36"	153.91'	79.48'
③		N41°35'14"W	70.37'	
④	R=225'	41°23'20"	162.53'	85.00'
⑤		N82°28'34"W	118.74'	
⑥		S07°01'26"W	30.00'	
⑦		S48°24'46"W	30.00'	
⑧		S31°50'59"W	231.76'	
⑨		N80°38'42"W	52.23'	
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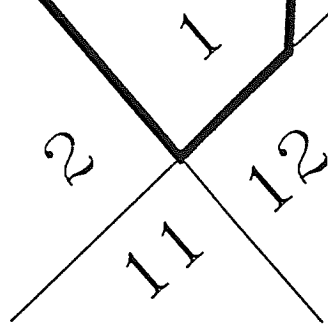


Zone Boundary

Scale:
1" = 400'

Apple Seed Lane Zone of Benefit

Situated in a portion of the
SW 1/4 Section 1, T.6 S., R.20 E.
M.D.B. & M., County of Mariposa
State of California



Recording Requested By:
Mariposa Public Works Department

When recorded mail to:

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

A.P.N. 017-220-052
A.P.N. 017-220-053
A.P.N. 017-220-054
A.P.N. 017-220-055

NOTICE OF ZONE DISSOLUTIONMENT

This notice is being recorded as a matter of constructive notice to any potential buyers of Parcels A, B, C and D as shown on the Parcel Map for WILLIAM MAIKRANZ, recorded in the Book 26 of Parcel Maps at Page 2, Mariposa County Records, that these parcels are no longer subject to yearly assessments for the **Apple Seed Lane Road Maintenance Zone of Benefit**.

On March 5, 1996, the Board of Supervisors of the County of Mariposa held a duly noticed public hearing on the questions of dissolving the Apple Seed Lane Road Maintenance Zone of Benefit, and did pass and adopt "MARIPOSA COUNTY RESOLUTION NO. 96-87 — A RESOLUTION CONDITIONALLY DISSOLVING THE APPLE SEED LANE ROAD MAINTENANCE ZONE OF BENEFIT", and on February 25, 1997, did pass and adopt "MARIPOSA COUNTY RESOLUTION NO. 97-66 — A RESOLUTION FINALLY DISSOLVING THE APPLE SEED LANE ROAD MAINTENANCE ZONE OF BENEFIT." 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 cease after the Fiscal Year 1996-1997, or the period July 1, 1997 to June 30, 1998.

DATED: March 4, 1997.



ROBERT C. STEWART, CHAIRMAN
Mariposa County Board of Supervisors

ATTEST:


MARGIE WILLIAMS, Clerk of the Board

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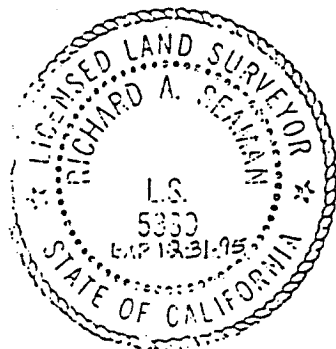
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Prepared by:




Richard A. Seaman, L.S. 5339


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