

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Public Works

BOARD AGENDA # \*C-1

Urgent  Routine

AGENDA DATE January 11, 2011

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Set a Public Hearing for March 1, 2011, at 9:05 A.M. to Consider Changes in Methodology for Calculating Assessments and to Conduct an Assessment Ballot Procedure and Public Hearing in Compliance with California Government Code Article XIII D - Proposition 218 for the North McHenry #1 Lighting District

STAFF RECOMMENDATIONS:

- 1) Set a Public Hearing, for the March 1, 2011 Board of Supervisor Meeting at 9:05 a.m. regarding proposed changes in Assessment Methodology for the North McHenry #1 Lighting District to take affect in 2011-2012 Fiscal Year.
- 2) Order that notice of the Public Hearing be given pursuant to Government Code Section 53753(B), and the Highway Lighting District Act Code Section 19051 & 2.
- 3) Approve the Engineer's Report for the proposed changes in Assessment Methodology for the North McHenry #1 Lighting District.

(Continued on Page 2)

FISCAL IMPACT:

Costs associated with the ballot procedure (\$3,416) will be borne by the North McHenry #1 Lighting District. It is anticipated that the ballot procedure would propose an increase and change to the current assessment methodology of \$30.44 per parcel to correct the structural deficit that the District is experiencing. For a typical one acre parcel of developed commercial/industrial property the new methodology would propose an assessment of \$98.32. The proposed increase is based on an assessment methodology detailed in required Engineer's Report.

BOARD ACTION AS FOLLOWS:

No. 2011-037

On motion of Supervisor O'Brien, Seconded by Supervisor Withrow  
 and approved by the following vote,  
 Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith  
 Noes: Supervisors: None  
 Excused or Absent: Supervisors: None  
 Abstaining: Supervisor: None

- 1) X Approved as recommended
- 2) \_\_\_\_\_ Denied
- 3) \_\_\_\_\_ Approved as amended
- 4) \_\_\_\_\_ Other:

MOTION:

*Christine Ferraro*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

Approval to Set a Public Hearing for March 1, 2011, at 9:05 A.M. to Consider Changes in Methodology for Calculating Assessments and to Conduct an Assessment Ballot Procedure and Public Hearing in Compliance with California Government Code Article XIII D - Proposition 218 for the North McHenry #1 Lighting District

**STAFF RECOMMENDATIONS (Continued):**

- 4) Authorize an Assessment Ballot Procedure, in conformance with California Government Code Article XIII D - Proposition 218, for the proposed method of calculating the annual assessment for the North McHenry #1 Lighting District.

**DISCUSSION:**

The North McHenry #1 Lighting District (hereinafter referred to as the "District") was established by the Stanislaus County Board of Supervisors on June 30, 1987 by Resolution 1987-868. The formation was initiated pursuant to a petition and request submitted by the parcel owners within the boundaries of the District. The District was formed to finance the operation and maintenance of streetlights within the District. Currently, there are 234 parcels, 239 acres, and 79 streetlights within the District.

In 1999, the property owners within the District rejected an increased assessment and new assessment methodology. Public Works is the administrator of the County's 27 Lighting Districts. North McHenry #1 remains the only one that has not approved a formula that adjusts annually to changes in expenses. Therefore, the District has continued under the original assessment methodology of a fixed amount, per parcel basis.

An approved budget and assessment is currently in place for Fiscal Year 2010-2011. Expenditures were estimated to be \$11,921 with funding from assessments of \$6,971 resulting in a shortfall of approximately \$4,950. However, at the writing of this report, expenses are now estimated at \$21,235. The additional amount can be attributed to major unexpected expenses incurred replacing wiring thefts (\$6,000) and the cost of the ballot measure (\$3,500) proposed by this report. Closing fund balances for the last four years were as follows Fiscal Year 2006-2007 = (-\$1,121); Fiscal Year 2007-2008 = (-\$2,891); Fiscal Year 2008-2009 = (-\$5,513); and Fiscal Year 2009-2010 = (-\$10,897). A deficit of -\$24,891 is anticipated for the close of Fiscal Year 2010-2011.

Because the assessment rate is frozen at \$30.44 per parcel, annual revenue from assessments is limited to \$6,971 and the District's annual deficit continues to grow as expenditures surpass revenue. Consequently, an increased assessment, as well as a new assessment methodology, is necessary to adequately cover expenditures, continue to provide the current level of service, and ensure sufficient revenues for continued operations and maintenance of the District.

On August 30, 2010, a public meeting was held at the Salida Public Library to seek input on property owner expectations and to gather their suggestions regarding increasing assessments or decreasing expenditures through reductions in lighting services. Turnout at the meeting was light, as was subsequent property owner feedback. A clear preference for a possible course of action was not established. Therefore, the decision was made to proceed with the ballot procedure. As required, the Board of Supervisors passed a resolution on December 14, 2010 to formally initiate these proceedings.

Approval to Set a Public Hearing for March 1, 2011, at 9:05 A.M. to Consider Changes in Methodology for Calculating Assessments and to Conduct an Assessment Ballot Procedure and Public Hearing in Compliance with California Government Code Article XIII D - Proposition 218 for the North McHenry #1 Lighting District

Proposition 218, approved by California voters in November 1996, requires an assessment ballot procedure and public hearing preceded by an Engineer's Report before a new methodology or increased assessment may be levied. Because a new assessment and method to calculate that assessment are proposed, a ballot procedure is required to obtain property owner's approval. It also requires a notice of public hearing be delivered to all property owners of record as of the date of the last assessment roll. The notice must inform them of the date, time, and place of the Public Hearing and advise them of the ballot procedure. A tabulation of the ballots cannot be done until the Board of Supervisors concludes the Public Hearing.

The assessment ballot will be mailed out with a notice of the proposed assessment and assessment methodology. The notice will describe the specific benefit of the District, the total amount thereof chargeable to the entire District, the amount chargeable to the owners' particular parcel, the duration of the payments, the basis upon which the proposed assessment was calculated, and the date, time, and location of the public hearing.

If the ballot measure approves the new methodology, it would allow annual assessments to increase or decrease without further ballot procedures being required. The new method to calculate assessments would be used indefinitely.

If the ballot measure fails, the only recourse will be to reduce expenditures by reducing lighting services and turning off streetlights. The sequence to turn off streetlights would commence with mid-block lights, followed by cul-de-sac streetlights, and lastly streetlights at intersections. The lights will need to remain off until the deficit is recovered.

#### **POLICY ISSUES:**

State of California Streets and Highways Code Section 19130 authorizes the Board of Supervisors to be the governing body for Lighting Districts within their county.

This action is consistent with the Board's policy of providing a Safe Community, a Healthy Community, and a Well Planned Infrastructure System.

#### **STAFFING IMPACT:**

Staffing impact will be limited to the time required to prepare Board reports and their supporting materials, and to conduct the ballot procedure.

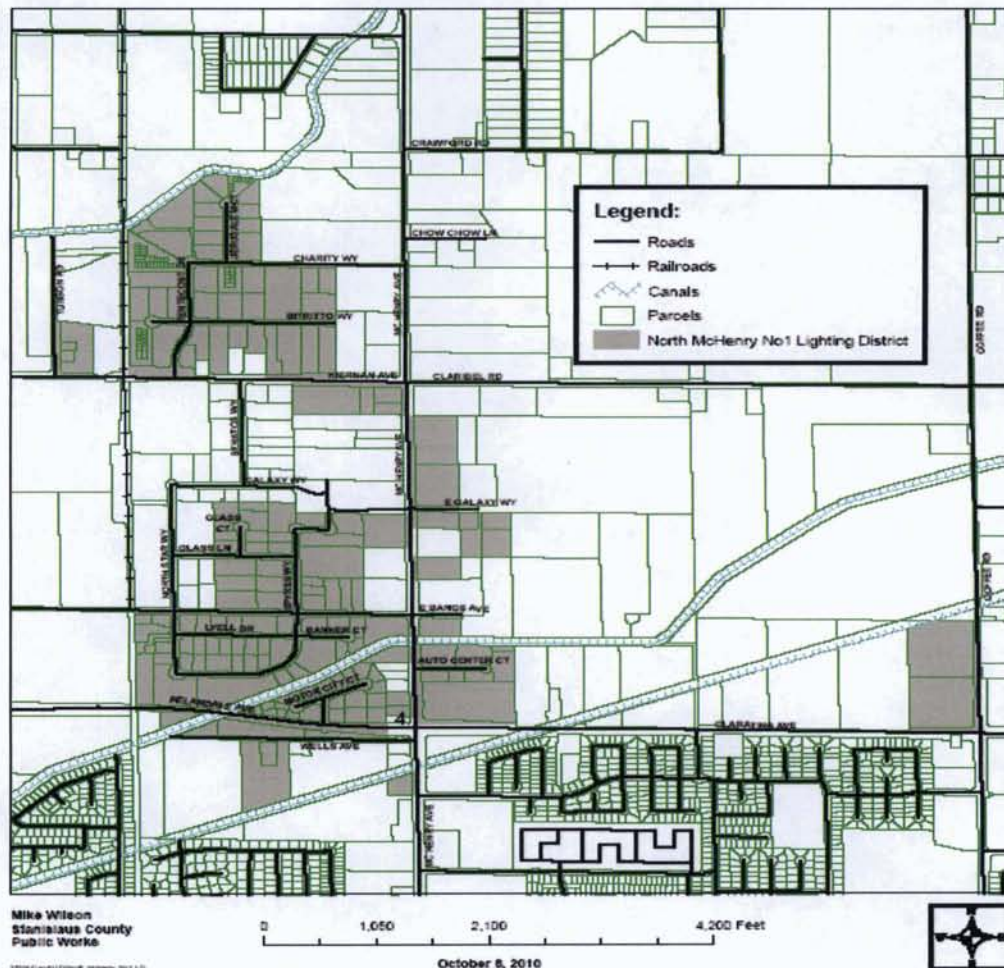
#### **CONTACT PERSON:**

Mike Wilson, Sr Engineering Technician, Stanislaus County Public Works, 525-4190.

**NOTICE OF PUBLIC HEARING REGARDING  
THE NORTH MCHENRY #1 LIGHTING DISTRICT  
AND PROPOSED CHANGES IN ASSESSMENT METHODOLOGY FOR CALCULATING  
ASSESSMENTS AND THE LEVY OF AN ANNUAL ASSESSMENT**

NOTICE IS HEREBY GIVEN that on Tuesday, March 1, 2011, at the hour of 9:05 A.M., or as soon thereafter as the matter may be heard, in the Joint Chambers located in the basement of the City/County Administration Building, 1010 10<sup>th</sup> Street, Modesto, California, the Board of Supervisors of Stanislaus County will hold a public hearing to consider changes in the methodology for calculating assessments for the North McHenry #1 Lighting District, conduct an assessment ballot procedure, and consider the levy of an annual assessment based upon the proposed new methodology. The District contains all that certain real property in the County of Stanislaus, State of California, particularly described in the original formation document and 27 subsequent annexations. Legal descriptions and individual maps of the formation and 27 subsequent annexations are on file and available at the Stanislaus County Public Works Department. Contact Mike Wilson – Sr Engineering Technician at 525-4190 for additional Information. The District contains 239 acres more or less.

**North McHenry No 1 Lighting District  
Boundary Map**



**DECLARATION OF PUBLICATION  
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS  
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am a printer and principal clerk of the publisher of **THE MODESTO BEE**, which has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS**, State of California, under the date of **February 25, 1951, Action No. 46453**. The notice of which the annexed is a printed copy has been published in each issue thereof on the following dates, to wit:

**FEBRUARY 15, 22, 2011**

I certify (or declare) under penalty of perjury that the foregoing is true and correct and that this declaration was executed at **MODESTO, California** on

**FEBRUARY 22, 2011**

*Mavis Dickman*

(Signature)

**NOTICE OF PUBLIC HEARING REGARDING  
THE NORTH MCHENRY #1 LIGHTING DISTRICT AND PROPOSED CHANGES IN ASSESSMENT METHODOLOGY  
FOR CALCULATING ASSESSMENTS AND THE LEVY OF AN ANNUAL ASSESSMENT**

NOTICE IS HEREBY GIVEN that on Tuesday, March 1, 2011, at the hour of 9:05 a.m., or as soon thereafter as the matter may be held in the Basement Chambers of the City/County Administration Building, 1010 10th Street, Modesto, California, the Board of Supervisors of Stanislaus County will hold a public hearing to consider changes in the methodology for calculating assessments for the North McHenry #1 Lighting District, conduct an assessment ballot procedure, and consider the levy of an annual assessment based upon proposed new methodology. The District contains all that certain real property in the County of Stanislaus, State of California, particularly described in the original formation document and 27 subsequent annexations. Legal descriptions and individual maps of the format and 27 subsequent annexations are on file and available at the Stanislaus County Public Works Department. Contact Mike Wilson - Engineering Technician at 525-4190 for additional information. The District contains 239 acres more or less.

**North McHenry No 1 Lighting District Boundary Map**

The map shows a grid of parcels with various features. A legend in the upper right corner identifies: Roads (solid line), Railroads (dashed line), Canals (dotted line), and Parcels (shaded area). A scale bar at the bottom indicates 0, 1,000, 2,000, and 4,000 feet. The date October 4, 2010, is printed at the bottom center. The Stanislaus County Public Works logo is in the bottom left corner.

**NORTH McHENRY LIGHTING DISTRICT  
ENGINEERS REPORT**

**Prepared for Prop218 Ballot Procedure  
Prepared December 2010**

**FISCAL YEAR 2011-2012**

**SET PUBLIC HEARING: JANUARY 11, 2011  
PUBLIC HEARING: MARCH 1, 2011**



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**ENGINEER'S REPORT AFFIDAVIT**

County of Stanislaus, State of California

**North McHenry Lighting District**

This report describes the district and all relevant zones therein including the proposed budget(s), parcels and assessments to be levied for the fiscal year 2011-2012. Reference is hereby made to the Stanislaus County Assessor's maps for a detailed description of the lines and dimensions of parcels within the Lighting District (LD)

The undersigned respectfully submits the enclosed report as directed by the Board of Supervisors.

Dated this 9<sup>th</sup> day of JANUARY, 2011



MATT MACHADO, DIRECTOR, PE  
Stanislaus County Department of Public Works



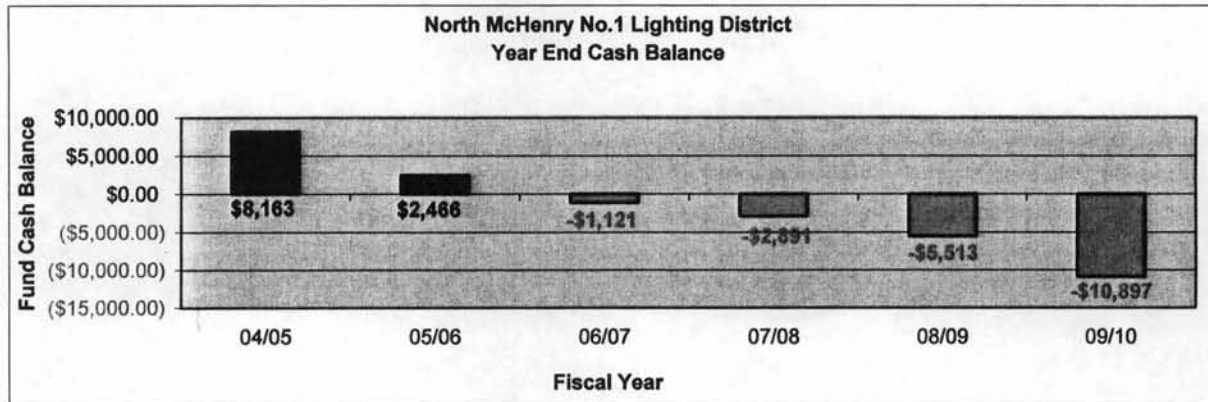


**NORTH McHENRY LIGHTING DISTRICT  
ENGINEER'S REPORT  
Prepared for Prop218 Ballot Procedure  
Report Prepared December 2010**

**INTRODUCTION:**

The North McHenry No.1 Lighting District (hereinafter referred to as the "District") was established by the Stanislaus County Board of Supervisors on June 30, 1987 by Resolution 1987-868. The formation was initiated pursuant to a petition and request submitted by the parcel owners within the boundaries of the District. The District was formed to finance the operation and maintenance of streetlights within the District.

An approved budget and assessment is currently in place for fiscal year 2010-2011. Expenditures were estimated to be \$11,921 with funding from assessments of \$6,971 resulting in a shortfall of approximately \$4,950. However, at the writing of this report, expenses are now estimated at \$21,235. The additional amount can be attributed to major unexpected expenses incurred replacing wiring thefts and the cost of the ballot measure proposed by this report. Fiscal year 2009-2010 ended with a \$10,897 deficit. A \$24,991 deficit is now anticipated for the close of fiscal year 2010-2011. The previous 5 fiscal year ends are charted below:



In 1999, the property owners within the District rejected an increased assessment and new assessment methodology and out of 27 Lighting Districts, they remain the only one that has not approved a formula that adjusts annually to changes in expenses. Since then, the District has continued under its original assessment methodology of a fixed amount, per parcel basis. Because the assessment rate is frozen at \$30.44 per parcel, revenue from assessments is limited to \$6971 and the District's annual deficit continues to grow as expenditures surpass revenue. Consequently an increased assessment, as well as a new assessment methodology, is necessary for fiscal year 2011-2012 to adequately cover annual expenditures and begin reducing the deficit.

Pursuant to Proposition 218, an increase in assessment must be approved by the District's property owners through a ballot procedure and public hearing, both of which are preceded by an Engineer's Report. If the ballot procedure to increase assessments fails, the only recourse will be to reduce expenditures by reducing lighting services and turning off streetlights. The sequence to turn off streetlights will commence with mid-block streetlights, followed by cul-de-sac streetlights, and last would be intersection streetlights.

**PART I- PLANS AND SPECIFICATIONS:**

**A. Description of the Lighting District**

There are 234 parcels, on 239.095 acres, within the present boundaries of this District. The legal description and boundary map of the District are shown on Exhibits "A" and "B" of this report. All 79 streetlights within the District are owned and maintained by Stanislaus County. Electric service is provided by MID.

**B. Description of Improvements and Services**

The purpose of this Lighting District is to provide streetlights that will improve the area by deterring crime, promoting traffic safety and aiding law enforcement efforts within its boundaries. The special benefit assessments to be levied for this District are intended to provide a revenue source for the ongoing maintenance, operation, and servicing of the District's improvements including, but not limited to the materials, equipment, labor, utilities, and administrative expenses. However, the assessments are not intended to fund reconstruction or major renovations of the improvements and facilities. The improvements are to be maintained and funded entirely through the service area's assessments, and are generally described as:

- Operate and maintain a total of seventy nine (79) streetlights.
- Periodic inspection, maintenance, and bulb, lens, sensor, and fixture replacement as needed.

**PART II – COST ESTIMATE FISCAL YEAR 2011/2012**

The following table is an estimate of projected costs for the 2011-2012 fiscal year. Included is a five year plan to recover the District's negative Fund Balance which is estimated to be \$24,991 by the end of FY2010-2011.

<b>ESTIMATED 2011/2012 EXPENSES - NORTH McHENRY No.1 LIGHTING DISTRICT</b>	
<b>Administration Expense Budget:</b>	
Stanislaus County Public Works Administration	\$250
Miscellaneous/Other Admin Fees	\$46
<b>Total Administration</b>	<b>\$296</b>
<b>Maintenance and Operation Expense Budget:</b>	
County Public Works Maintenance & Labor	\$5,000
Utilities/Street Lights	\$8,850
<b>Total Maintenance and Operation</b>	<b>\$13,850</b>
<b>Other Expenses Budget:</b>	
Capital Improvement Reserve	\$0
<b>Total Other Expenses:</b>	<b>\$0</b>
<b>Total District Budget</b>	<b>\$14,146</b>
5 Year Deficit Recovery Plan (\$25,161/ 5 yrs)	\$5,032
<b>Total District Budget Including Deficit Recovery</b>	<b>\$19,178</b>

## **PART III- PROPOSED METHOD OF APPORTIONMENT**

The proposed method of apportionment, described in this part of this report, utilizes commonly accepted engineering practices to allocate special benefit assessments to properties within the District that benefit from it's improvements and services. The goal being to fairly distribute the total cost to operate and maintain the District among the benefiting parcels in proportion to the special benefit they each receive.

Pursuant to the California Constitution Article XIID Section 4 (Prop 218), a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. General and special benefits must be separated and the parcel may only be assessed for special benefits received.

### **A. Special / General Benefit Analysis**

Stanislaus County does not provide streetlights along its public roadways and as a result there is no general street-lighting benefit to the public at large. The county does, however, manage Lighting Districts formed, at the request of property owners, or developers, to provide street lighting for specific areas. The source of the Lighting District's funding is an assessment specific to the District that is approved by the District's property owners. The funds are used only by and for the District.

All the improvements and services associated with the Lighting District, were implemented, and are maintained, and continue, solely because of the District's formation and existence. Were the District to cease to exist, the improvements, services, and expenditures would cease as well. Therefore the ongoing operation, maintenance and servicing of the improvements provide direct, distinct and special benefits only to the properties within the District.

Some of the special benefits associated with all the properties within this Lighting District are:

- Aid to law enforcement efforts. Deterrent to crime, vandalism and graffiti.
- Improved traffic safety, circulation, ingress and egress.
- Benefit to nighttime business hours.
- Enhanced property value as a result of being located within the District.

Since the streetlights provide a direct, distinct, and special benefit only to the parcels within the Lighting District, the burden of funding them rest solely upon the District, and as a consequence, no general benefit has been assigned.

### **B. Proposed Assessment Methodology**

A weighted method of apportionment utilizing an Equivalent Benefit Unit ( EBU ) is proposed to identify, quantify, and fairly allocate the special benefit associated to each parcel within the District relative to the other parcels within the District. With this methodology, the District's total cost of providing the improvements and services is distributed among the benefiting parcels based upon three factors - land use/property type, EBU, and a multiplier ( parcel acreage ).

**Equivalent Benefit Units (EBU):**

The EBU method of apportioning special benefits is typically seen as the most appropriate and equitable assessment methodology, as the benefits to each parcel from the improvements are apportioned as a function of land use type, development, and size. To assess benefits equitably it is necessary to correlate each property's proportional special benefits to the special benefits of all other property in the LD.

The single-family home site is the basic unit of apportionment used by the EBU method of apportioning assessments. A single-family home site equals one EBU. All other land uses are converted to EBU's based on an assessment formula that equates the property's specific development status, type of development (land use) and size of property, as compared to a single-family home site.

**EBU Application by Property Type - Land Use:**

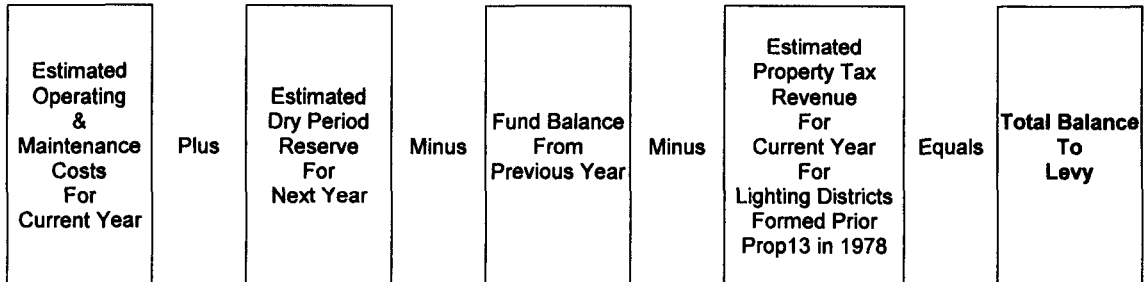
Each parcel within the Lighting District has a current Land Use Classification designated by the County Assessor's Office. This Land Use Classification is converted into one of the "Property Type – Land Use" categories listed in the table below. A description of "Property Type – Land Use" categories is included in this report's appendix. The following table provides a summary of Property-Land Use Types, EBU factors, and the "Multiplier" to be used in the proposed assessment calculations.

<b>Property Type - Land Use</b>	<b>EBU</b>	<b>Multiplier</b>
<b>Single Family Residential</b>	<b>1.00</b>	<b>Per unit/lot (parcel).</b>
<b>Multi-Family Residential</b>	<b>0.75</b>	<b>Per Unit for first 5 units.</b>
	<b>0.50</b>	<b>Per Unit for units 6 thru 50 units.</b>
	<b>0.25</b>	<b>Per Unit &gt; 50.</b>
<b>Residential Condominium/Town-Home Units</b>	<b>0.75</b>	<b>Per Unit.</b>
<b>Planned Residential Development</b>	<b>1.00</b>	<b>Per Planned Residential Lot.</b>
	<b>0.75</b>	<b>Per Planned Condominium.</b>
	<b>0.75</b>	<b>Per Unit for first 5 units.</b>
	<b>0.50</b>	<b>Per Unit for units 6 thru 50 units.</b>
	<b>0.25</b>	<b>Per Unit &gt; 50.</b>
<b>Vacant/Undeveloped Residential Land</b>	<b>1.00</b>	<b>Per Acre</b>
<b>Public Park</b>	<b>0.40</b>	<b>Per Acre</b>
<b>Public Storm Drain Basin</b>	<b>0.40</b>	<b>Per Acre</b>
<b>Public School/Congregations</b>	<b>2.20</b>	<b>Per Acre</b>
<b>Commercial/Industrial Parcel</b>	<b>3.50</b>	<b>Per Acre</b>
<b>Undeveloped Commercial/Industrial Parcel</b>	<b>1.00</b>	<b>Per Acre</b>
<b>Rural Agricultural</b>	<b>1.00</b>	<b>Per Acre</b>
<b>Exempt Parcels</b>	<b>0.00</b>	<b>Per Parcel</b>

**Special Cases-** Adjustments are made for any properties where the standard "Property Type – Land Use" classifications, or usual benefit calculations, will not accurately identify the special benefits received from the improvements. Site visits and/or recent aerial photography may be reviewed for discrepancies in the Assessor assigned Land Use values versus actual land use. For example, a "Vacant Commercial/Industrial" Land Use/Property Type would no longer be appropriate for a property that now has a building on site, and in this case it would be changed to "Commercial/Industrial".

### C. Proposed Assessment Formulas

The formula to arrive at the total annual assessment for the District:



The calculation for each parcel's Economic Benefit Unit (proportional benefit ) is:

$$\text{"Property Type-Land Use" EBU} \times \text{Acres or Units} = \text{Parcel EBUs}$$

The total number of EBU's is the sum of all individual EBU's applied to parcels that receive special benefit from the improvements and services.

$$\text{Sum of All Individual Parcel EBU's} = \text{Total EBU's}$$

An assessment rate per EBU is established by taking the total cost of the improvements and services and dividing that amount by the total number of EBU's of all parcels benefiting from the improvements.

$$\text{Total Balance to Levy} / \text{Total EBU's} = \text{Levy per EBU, a.k.a. Assessment Rate}$$

The assessment rate is then applied back to each parcel's individual EBU to determine the parcels proportionate benefit and assessment obligation for the improvements and services.

$$\text{Levy per EBU} \times \text{Parcel EBU} = \text{Parcel Levy Amount, a.k.a. Assessment}$$

**PART IV – PROPOSED BUDGET AND ASSESSMENTS**

**A. PROPOSED BUDGET FY2011-2012**

<b>PROPOSED 2011-2012 BUDGET - NORTH McHENRY No1 LIGHTING DISTRICT</b>	
<b>Administration Expense Budget:</b>	
Stanislaus County Public Works Administration	\$250
Miscellaneous/Other Admin Fees	\$46
<b>Total Administration</b>	<b>\$296</b>
<b>Maintenance and Operation Expense Budget:</b>	
<b>PUBLIC WORKS:</b>	
Maintenance & Labor	\$5,000
<b>UTILITIES:</b>	
Utilities/Street Lights	\$8,850
<b>Total Maintenance and Operation</b>	<b>\$13,850</b>
<b>Other Expenses Budget:</b>	
Capital Improvement Reserve	\$0
<b>Total Other Expenses:</b>	<b>\$0</b>
<b>Total District Budget</b>	<b>\$14,146</b>
5 Year Deficit Recovery Plan (\$25,161 / 5 yrs)	\$5,032
<b>Total District Budget Including Deficit Recovery</b>	<b>\$19,178</b>
<b>Fund Balance Information:</b>	
Beginning Fund Balance (Estimated for 2009/10 Yr End -\$10,897 & Estimated for 2010/11Yr End -\$25,161)	(\$25,161)
Capital Improvement Reserve (-)	\$0
<b>Available Fund Balance</b>	<b>(\$25,161)</b>
<b>Adjustments to Available Fund Balance:</b>	
General Fund (or PW) Loan Repayment/Advance (+)	\$0
Other Revenues/General Fund (Contributions I.e. Grants) (+)	\$0
Capital Improvement Expenditure (pumps etc.) (-)	\$0
6 Months Operating Reserve (-)	(\$7,073)
<b>Total Adjustments</b>	<b>(\$7,073)</b>
<b>Remaining Available Fund Balance</b>	<b>(\$32,234)</b>
<b>District Assessment</b>	
Total District Expense Budget/Administration, Public Works, Utilities, Other Expenses	\$14,146
5 Year Deficit Recovery Plan (\$25,161 / 5 yrs)	\$5,032
<b>Balance to Levy on Assessments</b>	<b>\$19,178</b>
Total "Weighted" Economic Benefit Units (Parcels Assessable Acreage x EBU Rate for Assessor Land Use)	682.745
<b>Assessment per Economic Benefit Unit (\$19,178 / 682.745)</b>	<b>\$28.09</b>

**PART IV- PROPOSED ASSESSMENTS**

**B. Proposed Assessment Summary**

<b>TOTAL EQUIVALENT BENEFIT UNIT BY PROPERTY TYPE - N. McHENRY #1 LIGHTING DISTRICT</b>					
<b>Property Type - Land Use</b>	<b>EBU</b>	<b>Parcels</b>	<b>Acreage</b>	<b>Total EBU</b>	<b>Assessment*</b>
Single Family Residential	1.00	0	0	0	0
	0.75	0	0	0	0
Multi-Family Residential	0.50	0	0	0	0
	0.25	0	0	0	0
Residential Condominium/Town-Home Units	0.75	0	0	0	0
	1.00	0	0	0	0
Planned Residential Development	0.75	0	0	0	0
	0.50	0	0	0	0
	0.25	0	0	0	0
Vacant/Undeveloped Residential Land	1.00	0	0	0	0
Public Park	0.40	0	0	0	0
Public Storm Drain Basin	0.40	4	6.299	2.519	\$70.80
Public School/Congregations	2.20	1	1.847	4.064	\$114.16
Commercial/Industrial Parcel	3.50	195	178.087	623.304	\$17,509.42
Undeveloped Commercial/Industrial Parcel	1.00	29	38.813	38.813	\$1090.40
Rural Agricultural	1.00	4	14.045	14.045	\$394.52
Exempt Parcels	0.00	1	.005	0	0
<b>Totals:</b>		<b>234</b>	<b>239.095</b>	<b>682.745</b>	<b>\$19,179.30</b>

Parcel assessments are rounded up to the nearest even cents.  
 \$98.07 is rounded up to \$98.08 for ease of bi-annual assessment.

<b>ASSESSMENT PER EQUIVALENT BENEFIT UNIT -- N. McHENRY #1 LIGHTING DISTRICT</b>	
<b>DESCRIPTION</b>	<b>AMOUNT</b>
Estimated Funding Required	\$19,179.30
Total Equivalent Benefit Units	682.745
Calculated Assessment Per EBU (Estimated Funding Required/Total EBUs)	\$28.09

**C. Proposed Assessment List By Parcel**

The Assessment List By Parcel beginning on page 10 of this report is the proposed assessment for FY2011/2012 apportioned to each of the District's parcels. The Assessment Roll was extracted from the County Assessor's last equalized roll.



## **APPENDIX: Definitions of Property Type – Land Use:**

(Fall 2010)

In 1999, Stanislaus County Department of Public Works retained the consulting services of NBS Government Finance Group to prepare an Engineer's Report for County Service Area #10 – Salida. At that time, NBS proposed a revised method to calculate assessments by quantifying the various land use types and their respective special benefits received in terms of Equivalent Units. The revised methodology was reviewed and approved by the county and has been in use since that time. The methodology is utilized for determining assessments for special districts - County Service Areas, Landscape and Lighting Districts; and Lighting Districts. Following are property type land use definitions and their Equivalent Benefit Unit or EBU.

**Single-Family Residential:** This land use is defined as a fully subdivided residential home site with or without a structure. This land use is assessed 1.0 EBU per lot or parcel. This is the base value that all other land use types are compared and weighted against (i.e. Equivalent Benefit Unit or EBU).

**Multi-Family Residential:** This land use is defined as a fully subdivided residential parcel that has more than one residential unit developed on the property typically includes apartments, duplexes, triplex etc. It does not typically include condominiums, town-homes, or mobile home parks). Based on average population densities and the size of the structure as compared to a typical single family residential unit, multi-family residential parcels shall be proportionally assessed for the parcels total number of residential units utilizing a sliding benefit scale. Although multi-family properties typically receive similar benefits to that of a single family residential, it would not be reasonable to conclude that on a per unit basis, the benefits are equal. Studies have consistently shown that the average multi-family unit impacts infrastructure approximately 75% as much as a single family residence (sample sources: Institute of transportation Engineers Informational report Trip Generation, Fifth Edition; Metcalf and Eddy, Wastewater Engineering Treatment, Disposal, Reuse, Third Addition). These Various studies indicate the most public improvements and infrastructure are utilized and impacted at reduced levels by multi-family residential units and a similar reduction in proportional benefit is appropriate. Furthermore, it is also reasonable to conclude that as the density (number of units) increases, the proportional benefit per unit tends to decline because the unit size and people per unit usually decreases. Based on these considerations and the improvements provided by the LD, it has been determined that an appropriate allocation of special benefit for multifamily residential properties as compared to a single family residential is best represented by the following special benefit assignment: 0.75 EBU per unit for the first 5 units; 0.50 EBU per unit for units 6 through 50; and 0.25 EBU per unit for all remaining units.

**Residential Condominium/Town-Home Units-** Condominiums and town-homes tend to share attributes of both a single family residential and multi-family residential properties and for this reason are identified as a separate land use classification. Like most single family residential properties, these properties are not usually considered rental property and generally, the County assigns each unit a separate APN or assessment number. However, condominiums and town homes often have similarities to multi-family residential properties in that they are generally zoned medium to high density and in some cases may involve multiple units on a single APN. In consideration of these factors it has been determined that an appropriate allocation of special benefit for condominiums, town-homes and similar residential properties is best represented by an assignment of 0.75 EBU per unit regardless of whether each unit is assigned an individual APN or there are multiple units assigned to the APN. There is no adjustment factor with parcels with more than five units.

## **APPENDIX: Definitions of Property Type – Land Use ( Continued) :**

**Planned-Residential Development-** This land use is defined as any property for which a tentative or final tract map has been filed and approved (a specific number of residential lots and units has been identified) and the property is expected to be subdivided within the fiscal year or is part of the overall improvement and development plan for the LD. This land use classification often times involves more than a single parcel (e.g. the approved tract map encompasses more than a single APN). Each parcel that is part of the approved tract map shall be assessed proportionally for the proposed or estimated residential type and units to be developed on that parcel as part of the approved tract map. Accordingly, each parcel is assigned an appropriate number of benefit units that reflects the development of that property at build-out (the EBU assigned to each parcel shall represent the combination of single family, condominium, multifamily units to be developed).

**Vacant/Undeveloped Residential Land:** This land use is defined as property currently zoned for single-family detached residential development, but a tentative or final tract map has not been submitted and/or approved. This land use is assessed at 1.0 EBU per parcel.

**Public Park:** This is land, owned by the county, that is designated for a public park. It is developed as such or awaiting development. This land use is assessed at 0.4 EBU per parcel.

**Public Storm Drain Basin:** This is land, owned by the county, that is developed or under development as a public storm drain basin. This land use is assessed at 0.4 EBU per parcel.

**Public School/Congregation:** A public school is a publicly owned school site. A congregation is defined as a place of religious worship. This land use is assessed at 2.2 EBU per parcel.

**Commercial / Industrial Parcel:** This land use is defined as property developed for either commercial or industrial use; or property being used for parking and/or storage in support of a business. This land use is assessed at 3.5 EBU per parcel.

**Undeveloped Commercial / Industrial Parcel:** This land use is defined as property currently zoned for either commercial or industrial use that has not been developed and is not being used for parking and/or storage in support of a business. This land use is assessed at 1.0 EBU per parcel.

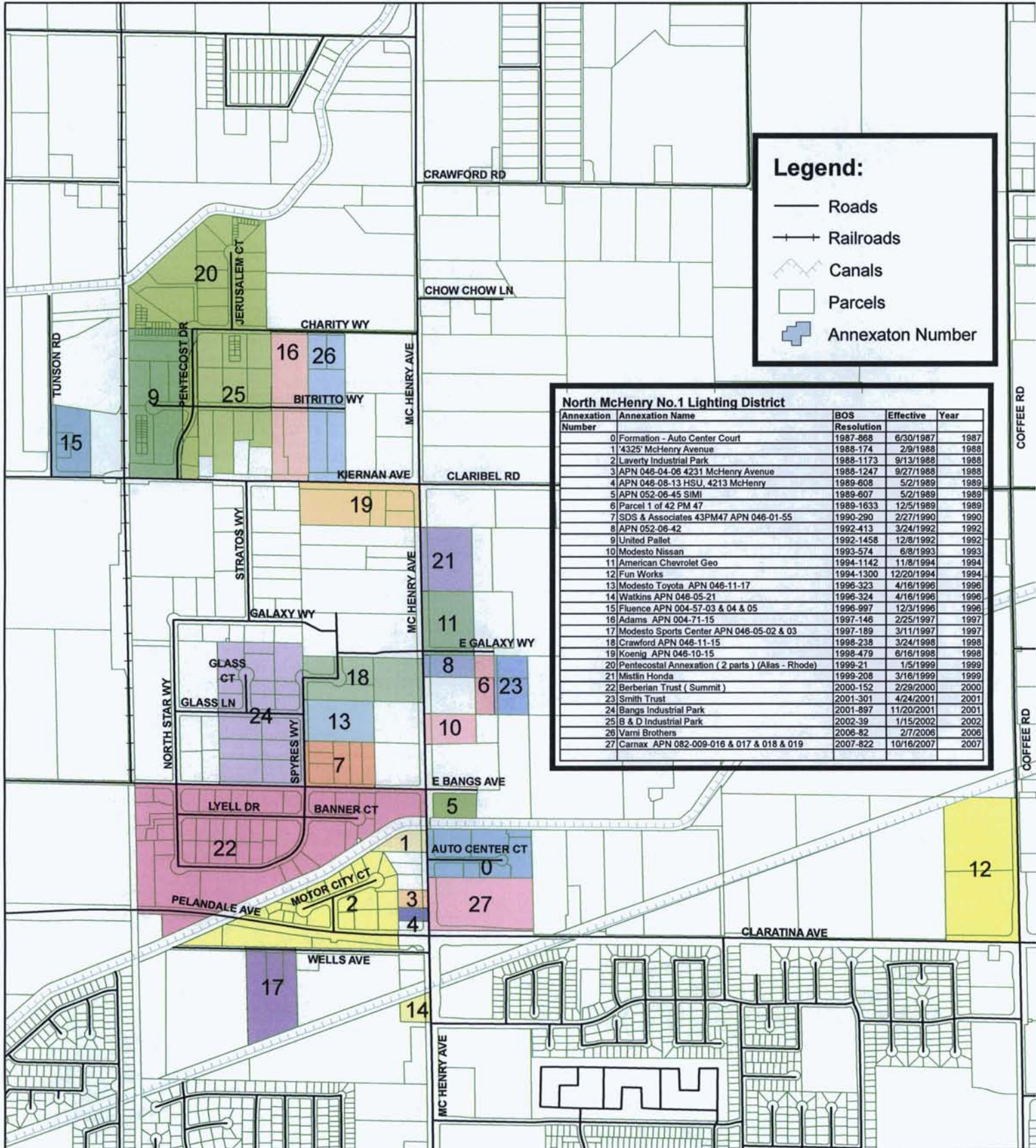
**Rural Agricultural:** This land use is defined as property zoned and used for Agriculture. This land use is assessed at 1.0 EBU per parcel.

**Exempt Parcels:** This land use identifies properties that are not assessed and are assigned 0.00 EBU. This land use classification may include but is not limited to:

- Lots or parcels identified as public streets and other roadways (typically not assigned an APN by the County)
- Bifurcated lots or properties with very restrictive development use

These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment. The exemption may be from a particular service provided or from all services provided.

# North McHenry No 1 Lighting District Boundary Map



## EXHIBIT A – LEGAL DESCRIPTION

Attached are legal descriptions of the original formation and 27 subsequent annexations.

Listing of attachments:

### North McHenry Lighting District

Addition Number	Addition Name	BOS Resolution	Effective	Year
0	Formation - Auto Center Court	1987-868	1987/06/30	1987
1	'4325' McHenry Avenue	1988-174	1988/02/09	1988
2	Laverty Industrial Park	1988-1173	1988/09/13	1988
3	APN 046-04-06 4231 McHenry Avenue	1988-1247	1988/09/27	1988
4	APN 046-08-13 HSU, 4213 McHenry	1989-608	1989/05/02	1989
5	APN 052-06-45 SIMI	1989-607	1989/05/02	1989
6	Parcel 1 of 42 PM 47	1989-1633	1989/12/05	1989
7	SDS & Associates 43PM47 APN 046-01-55	1990-290	1990/02/27	1990
8	APN 052-06-42	1992-413	1992/03/24	1992
9	United Pallet	1992-1458	1992/12/08	1992
10	Modesto Nissan	1993-574	1993/06/08	1993
11	American Chevrolet Geo	1994-1142	1994/11/08	1994
12	Fun Works	1994-1300	1994/12/20	1994
13	Modesto Toyota APN 046-11-17	1996-323	1996/04/16	1996
14	Watkins APN 046-05-21	1996-324	1996/04/16	1996
15	Fluence APN 004-57-03 & 04 & 05	1996-997	1996/12/03	1996
16	Adams APN 004-71-15	1997-146	1997/02/25	1997
17	Modesto Sports Center APN 046-05-02 & 03	1997-189	1997/03/11	1997
18	Crawford APN 046-11-15	1998-238	1998/03/24	1998
19	Koenig APN 046-10-15	1998-479	1998/06/16	1998
20	Pentecostal Annexation ( 2 parts ) (Alias - Rhode)	1999-21	1999/01/05	1999
21	Mistlin Honda	1999-208	1999/03/16	1999
22	Berberian Trust ( Summit )	2000-152	2000/02/29	2000
23	Smith Trust	2001-301	2001/04/24	2001
24	Bangs Industrial Park	2001-897	2001/11/20	2001
25	B & D Industrial Park	2002-39	2002/01/15	2002
26	Varni Brothers	2006-82	2006/02/07	2006
27	Carnax APN 082-009-016 & 017 & 018 & 019	2007-822	2007/10/16	2007



# Exhibit "A"

BASIS OF BEARINGS:

N. 1°44'40"W. FOR THE WEST LINE OF SECTION 4, T.3 S., R.9 E., M.D.B. & M., AS SHOWN ON MAP FILED IN BOOK 31 OF PARCEL MAPS AT PAGE 22, STANISLAUS COUNTY RECORDS.

100' M. I. D. LATERAL NO. 6

WEST LINE OF SECTION 4  
(BASIS OF BEARINGS)

AVENUE

MCHENRY

AUTO CENTER COURT

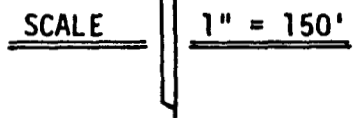
POINT OF BEGINNING

PARCEL 1

PARCEL 2

BOOK 31 OF PARCEL MAPS AT PAGE 22

①	S. 89°54'48"W.	55.02'
②	N. 1°44'40"W.	436.13'
③	S. 89°56'22"E.	929.21'
④	S. 1°44'24"E.	433.74'
⑤	S. 89°54'48"W.	874.09'



## MODESTO AUTO CENTER LIGHTING DISTRICT

9.27 ACRES

total assessed valuation of all taxable property within the territory proposed to be formed into said district, and that the public interest and convenience do not require that an election be held upon the proposed formation of said district.

2. The territory hereinafter described will be benefitted by the formation of North McHenry Lighting District of Stanislaus County, and such district should be, and hereby is organized and established pursuant to the Highway Lighting District Act, and that the territory comprising said North McHenry Lighting District of Stanislaus County consists of all that certain real property situated in the County of Stanislaus, State of California, described as follows:

All that certain real property situate in a portion of the southwest quarter of Section 4, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

BEGINNING at the northwest corner of Parcel 1, as shown on map filed in Book 31 of Parcel Maps, at Page 22, Stanislaus County Records; thence South 89°54'48" West, along the westerly extension of the north line of said Parcel 1, a distance of 55.02 feet to the west line of said southwest quarter of Section 4; thence North 1°44'40" West, along said west line, a distance of 436.13 feet; thence South 89°56'22" East, along the southerly line of 100 foot wide Modesto Irrigation District Lateral No. 6, a distance of 929.21 feet to the northeast corner of land conveyed to William H. McEldowney, et al, by Decree of Distribution recorded January 21, 1921 as Instrument No. 842; thence South 1°44'24" East, along the east line of said McEldowney land, a distance of 433.74 feet to the northeast corner of Parcel 4, as shown on said map filed in Book 31 of Parcel Maps, at Page 22; thence South 89°54'48" West, along the north lines of said Parcel 4 and said Parcel 1, a distance of 874.09 feet to the point of beginning.

Containing: 9.27 acres

BE IT FURTHER RESOLVED that attached hereto, marked Exhibit A, and made a part hereof, is a map or plot indicating the boundaries herein and hereby established of said North McHenry Lighting District of Stanislaus County; and



**DELAMARE-FULTZ**

**ENGINEERING AND SURVEYING**

3421 TULLY ROAD • SUITE J • MODESTO, CA. 95350  
TELEPHONE (209) 529-7450

- THOMAS H. DELAMARE  
R.C.E. NO. 36341, L.S. 3407
- RICHARD L. FULTZ  
R.C.E. NO. 27866, L.S. 3870
- J. STEVEN REICHMUTH  
L.S. NO. 4895
- RICHARD C. TATOYAN

November 23, 1987

ANNEXATION TO NORTH McHENRY  
HIGHWAY LIGHTING DISTRICT

DESCRIPTION

All that certain real property situate in a portion of the Southeast Quarter of Section 5, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

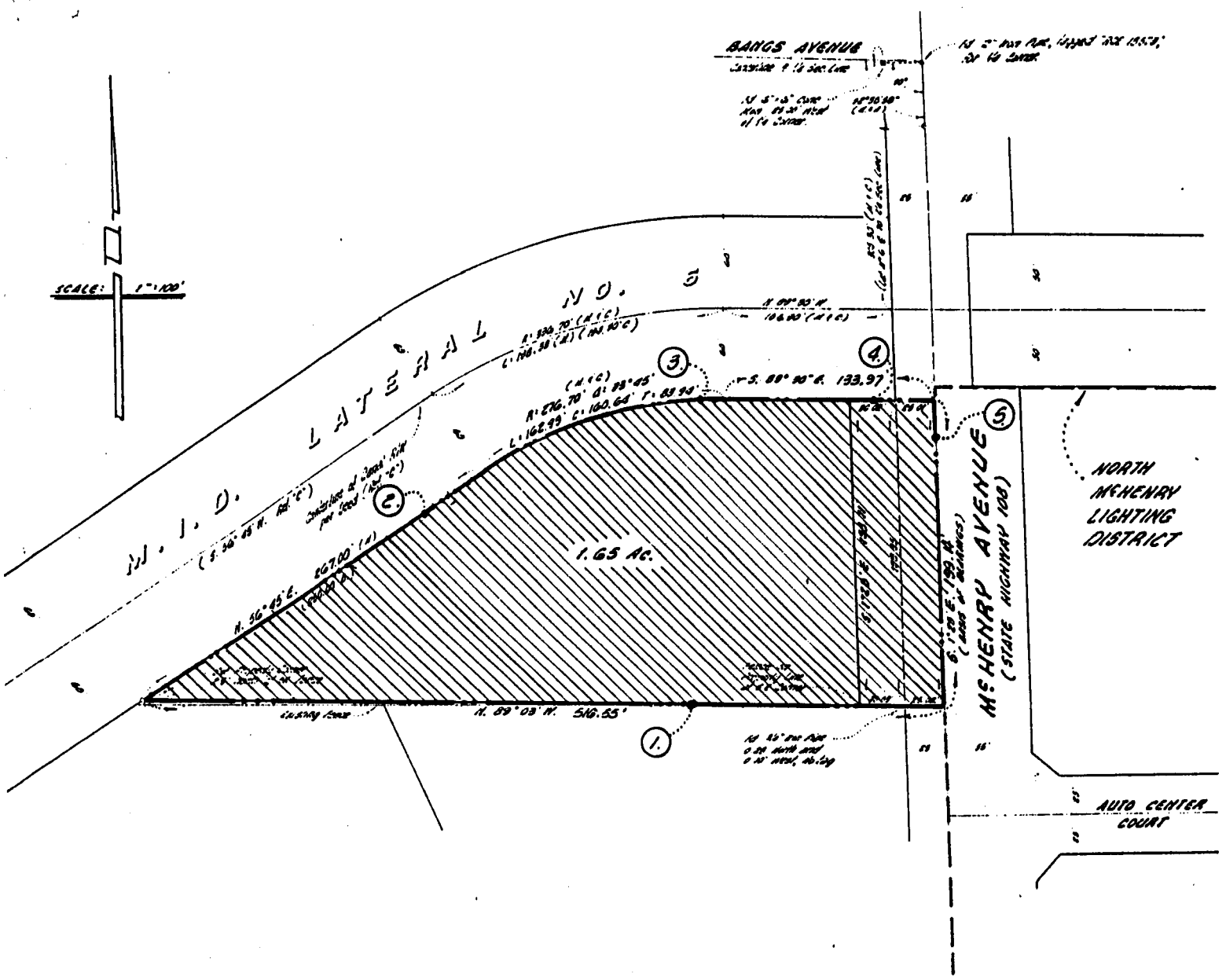
BEGINNING at a point on the section line between Sections 4 and 5, said point bears North  $1^{\circ}28'$  West, a distance of 2064.82 feet from the corner of Sections 4, 5, 8 and 9, above Township and Range, said point also being on the West line of the NORTH McHENRY LIGHTING DISTRICT OF STANISLAUS COUNTY; thence North  $89^{\circ}03'$  West 516.55 feet to a point on the Southeasterly line of the 120 foot wide Modesto Irrigation District Right-of-Way for Lateral No. 6; thence along said Right-of-Way the following 3 (three) courses:

1. North  $56^{\circ}45'$  East 267.00 feet;
2. 276.70 foot radius curve to the right,  $\Delta = 33^{\circ}45'$   
L=162.99 feet, C=160.64 feet, T=83.94 feet;
3. South  $89^{\circ}30'$  East 133.97 feet

to the aforementioned West line of the NORTH McHENRY LIGHTING DISTRICT OF STANISLAUS COUNTY; thence along said West line, South  $1^{\circ}28'$  East 199.14 feet to the POINT OF BEGINNING.

CONTAINING: 1.65 Acres





SCALE: 1"=100'

**BASIS OF BEARINGS:**  
 The bearing N. 1° 28' W. for the centerline of McHenry Avenue and East line of Section 5, T. 9 S., R. 9 E., M.D.B. & M., as referred to in Deed, Instrument No. 122811, filed October 15, 1907, was used as the basis for all bearings shown on this map.

①	N. 89° 03' W.	516.55'
②	N. 56° 45' E.	267.00'
③	R=276.70', Δ=33° 45', L=162.99'	
	C=160.64', T=83.94'	
④	S. 89° 30' E.	133.97'
⑤	S. 1° 28' E.	199.14'

## ANNEXATION TO NORTH McHENRY HIGHWAY LIGHTING DISTRICT



A Professional Corporation

900 "H" ST., SUITE G • P.O. BOX 816 • MODESTO, CA 95353 • (209) 526-4214

### LEGAL DESCRIPTION

ALL that certain real property situate in a portion of the Southeast quarter of Section 5, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and lying in the County of Stanislaus, State of California, more particularly described as follows:

COMMENCING at the centerline of McHenry Avenue and Wells Avenue, as shown on the map filed in Book 9 of Parcel Maps, at Page 63, Stanislaus County Records; thence North 89 degrees 17' 00" West along the centerline of said Wells Avenue, 275.00 feet + to the point of beginning of this description; thence continuing North 89 degrees 17' 00" West along said centerline, 2013.15 feet + to a point on the southerly right-of-way line of the 120 foot wide M.I.D. Lateral No. 6; thence North 65 degrees 40' 00" East, along said Southerly right-of-way line, 1503.09 feet; thence North 56 degrees 45' 00" East continuing along said right-of-way line, 450.00 feet; thence South 89 degrees 03' East, a distance of 123.68 feet to the centerline of an existing irrigation line; thence in a Southeasterly direction, a distance of 231.70 feet; thence South 1 degree 13' 50" East parallel to the east line of said Section 5, a distance of 698.60 feet + to the centerline of said Wells Avenue and the point of beginning of this description.

Containing: 21.0 ± acres

APN: 046-04-10

**OWNERS' STATEMENT:**

I, the undersigned, hereby state that I am the owner of or have some right, title, or interest of record in the land shown on the accompanying map, and am covered by the map and title of this map in the office of the County Recorder of Stanislaus County, California. We also state the date when the public use, railroad, street, school lot, state city street, etc., monuments, and other public places and structures as shown on this map, under this 28th day of JUNE, 1962.

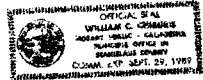
**OWNER:**  
Charles D. Lavery      Norma D. Lavery  
**Charles D. Lavery**      **Norma D. Lavery**

**TRUSTEE:** **WILLIAM BIRD OF BARRIS**, a California corporation.  
William Bird of Barris      William Bird of Barris

**TRUSTEE:** **GRAND VALLEY BANK**, a California corporation.  
Grand Valley Bank      Grand Valley Bank

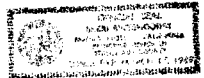
**STATE OF CALIFORNIA COUNTY OF STANISLAUS } SS**  
**On this 28th day of JUNE, 1962**, before me, a Notary Public in and for said County and State, duly sworn and commissioned, personally appeared **Charles D. Lavery** and **Norma D. Lavery**, known to me to be the persons who executed the aforesaid instrument, and acknowledged to me that the execution thereof was voluntary and intended.

William Bird of Barris  
Notary Public



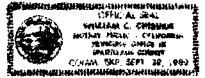
**STATE OF CALIFORNIA COUNTY OF STANISLAUS } SS**  
**On this 19th day of JULY, 1962**, before me, a Notary Public in and for said County and State, duly sworn and commissioned, personally appeared **WILLIAM C. GILBERT** and **H. B. MORRISON**, known to me to be the persons who executed the aforesaid instrument, and acknowledged to me that the execution thereof was voluntary and intended.

William C. Gilbert  
Notary Public



**STATE OF CALIFORNIA COUNTY OF STANISLAUS } SS**  
**On this 19th day of JULY, 1962**, before me, a Notary Public in and for said County and State, duly sworn and commissioned, personally appeared **FRED A. JOHNSON** and **WENDEL J. FROSTEN**, known to me to be the persons who executed the aforesaid instrument, and acknowledged to me that the execution thereof was voluntary and intended.

Fred A. Johnson  
Notary Public



**NOTE:** The signatories of the following document have been admitted pursuant to Section 26000 of the California Map Act - **STANISLAUS COUNTY SUBDIVISION CODE** - pertaining to the right to pass and travel over the lands and premises adjacent to subdivision 8 and adjacent and pertinent thereto by the maintenance of said "Lot 6", recorded under A-1766 in the office of said Notary Public, Stanislaus County, California - pertaining to a title approval recorded April 1, 1962, under A-1766 of said Notary Public.

# LAVERTY INDUSTRIAL PARK

**BEING A SUBDIVISION OF A PORTION OF THE SURVEY OF QUANTITY OF SECTION 5, T32, R1E, S42E24**  
**STANISLAUS COUNTY, CALIFORNIA.**

**GRAND VALLEY ENGINEERS**  
307 F STREET - SUITE 2  
MERCED, CALIFORNIA 95361

**BOARD OF SURVEYORS' CERTIFICATE:**  
This is to certify that the map, title, and description and accompanied by the survey map recorded in the Board of Supervisors, Stanislaus County, State of California, which show in the foregoing being incorporated in the map, highways, streets, easements, utility lines, ways, easements, places, etc., in the territory shown on the accompanying map and to certify that all such highways, streets, easements, utility lines, ways, easements, places, etc., are in conformity with the map, but reserving the right to accept of any future laws or orders of the public works' legislative authority in the public highways, streets, etc., as they appear.

William Bird of Barris  
Chairman, Board of Supervisors

**PLANNING COMMISSIONER'S CERTIFICATE:**  
This is to certify that this map substantially complies with the resolution map and action taken thereon by the Stanislaus County Planning Commission at a regular meeting held on **NOVEMBER 5, 1962**, under the 6th day of JULY, 1962.

Victor Hernandez  
Secretary, Planning Commission

**DEPARTMENT OF ENVIRONMENTAL RESOURCES CERTIFICATE:**  
Approved by the Department of Environmental Resources March 6th day of July, 1962

Richard P. S.  
County Health Officer

**NOTE:**  
Said Report for Lavery Industrial Park is on file with the Stanislaus County Department of Environmental Resources for public inspection.

**SURVEYOR'S STATEMENT:**

I, James B. Bateson, hereby state that I am a Licensed Land Surveyor of the State of California, and this map, consisting of 3 sheets, correctly represents a survey made by me, or under my supervision in that State, that the survey is true and correct as shown, that all monuments of the land shown herein shall be set on or before September 1, 1962, in the position indicated and that said monument will be sufficient to locate the survey to be returned.

James B. Bateson  
Notary Public, Stanislaus County, California  
September 2nd, September 29, 1962.



**COUNTY COMMISSIONER'S CERTIFICATE:**  
I hereby state that the accompanying map has been examined, and it substantially conforms to the Plats and map and any approved alterations thereof, and that the said subdivision map is in accordance with the Stanislaus County Subdivision Code, and is technically correct.

W. R. Buchanan  
County Commissioner

**CLERK OF THE BOARD OF SUPERVISORS CERTIFICATE:**  
This is to certify that the instrument of the property shown on the accompanying map has been filed with the Board of Supervisors. (Check one)  
 (1) A land or interest approved by said Board to secure the payment of taxes and special assessments collected or levied, subject to all the laws of this State, a free special, and priority of any part thereof.  
 (2) Approved for lot or block, or tract other evidence as may be required by said Board showing full payment of all applicable taxes.

Richard P. S.  
County Health Officer

**TAX COLLECTOR'S CERTIFICATE:**  
This is to certify that there are no taxes for any amount, State, County, School, Municipal or Irrigation taxes, except contract assessments on their real and personal property, against the land shown on the accompanying map.

Richard P. S.  
County Health Officer

Richard P. S.  
County Health Officer

**RECORDING OFFICER'S CERTIFICATE:**  
This is to certify that this map, under the 6th day of JULY, 1962 at 1:40 o'clock P. M. in Book 25 of Maps, of Page 17, Stanislaus County Recorder at the request of James B. Bateson.

James B. Bateson  
No. 10-2-167

**RECORDING OFFICER'S CERTIFICATE:**  
Said Report for Lavery Industrial Park is on file with the Stanislaus County Department of Environmental Resources for public inspection.



# LAVERTY INDUSTRIAL PARK

BEING A SUBDIVISION OF A PORTION OF THE SOUTHWEST QUARTER OF SECTION 5, T3S, R3E, IN E.S. & S. STANDARD COUNTY, CALIFORNIA.

SCALE: 1" = 100'      MARCH, 1966

DAM - VALLEY ENGINEERING  
500 "K" STREET - SUITE 8  
MADERA, CALIFORNIA 95366

- GENERAL NOTES:**
1. All distances and dimensions shown on or not and shown thereon.
  2. The lot lines indicate the boundaries of the land subdivided by this map. They are: 01.763, 0200 - 12 Lot and are shown drawings have parcel.
  3. A 10' wide public utility easement is hereby dedicated along all lot boundaries adjacent to all streets on this subdivision.
  4. Minimum and maximum access from Lot 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

- LEGEND:**
- 6" iron pipe with plastic pipe in the alternate L.S. case.
  - 8" iron pipe with plastic pipe in the alternate L.S. case.
  - 10" iron pipe with plastic pipe in the alternate L.S. case.
  - 12" iron pipe with plastic pipe in the alternate L.S. case.
  - 14" iron pipe with plastic pipe in the alternate L.S. case.
  - 16" iron pipe with plastic pipe in the alternate L.S. case.
  - 18" iron pipe with plastic pipe in the alternate L.S. case.
  - 20" iron pipe with plastic pipe in the alternate L.S. case.
  - 22" iron pipe with plastic pipe in the alternate L.S. case.
  - 24" iron pipe with plastic pipe in the alternate L.S. case.
  - 26" iron pipe with plastic pipe in the alternate L.S. case.
  - 28" iron pipe with plastic pipe in the alternate L.S. case.
  - 30" iron pipe with plastic pipe in the alternate L.S. case.
  - 32" iron pipe with plastic pipe in the alternate L.S. case.
  - 34" iron pipe with plastic pipe in the alternate L.S. case.
  - 36" iron pipe with plastic pipe in the alternate L.S. case.
  - 38" iron pipe with plastic pipe in the alternate L.S. case.
  - 40" iron pipe with plastic pipe in the alternate L.S. case.
  - 42" iron pipe with plastic pipe in the alternate L.S. case.
  - 44" iron pipe with plastic pipe in the alternate L.S. case.
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  - 74" iron pipe with plastic pipe in the alternate L.S. case.
  - 76" iron pipe with plastic pipe in the alternate L.S. case.
  - 78" iron pipe with plastic pipe in the alternate L.S. case.
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  - 86" iron pipe with plastic pipe in the alternate L.S. case.
  - 88" iron pipe with plastic pipe in the alternate L.S. case.
  - 90" iron pipe with plastic pipe in the alternate L.S. case.
  - 92" iron pipe with plastic pipe in the alternate L.S. case.
  - 94" iron pipe with plastic pipe in the alternate L.S. case.
  - 96" iron pipe with plastic pipe in the alternate L.S. case.
  - 98" iron pipe with plastic pipe in the alternate L.S. case.
  - 100" iron pipe with plastic pipe in the alternate L.S. case.

**NOTES BY ENGINEER:**  
The location of 18" iron pipe in the center line of Wells Avenue is shown on the map filed in Book 12 of Maps of Maps in Stanislaus County Records, and read in the light of all drawings shown on this map.

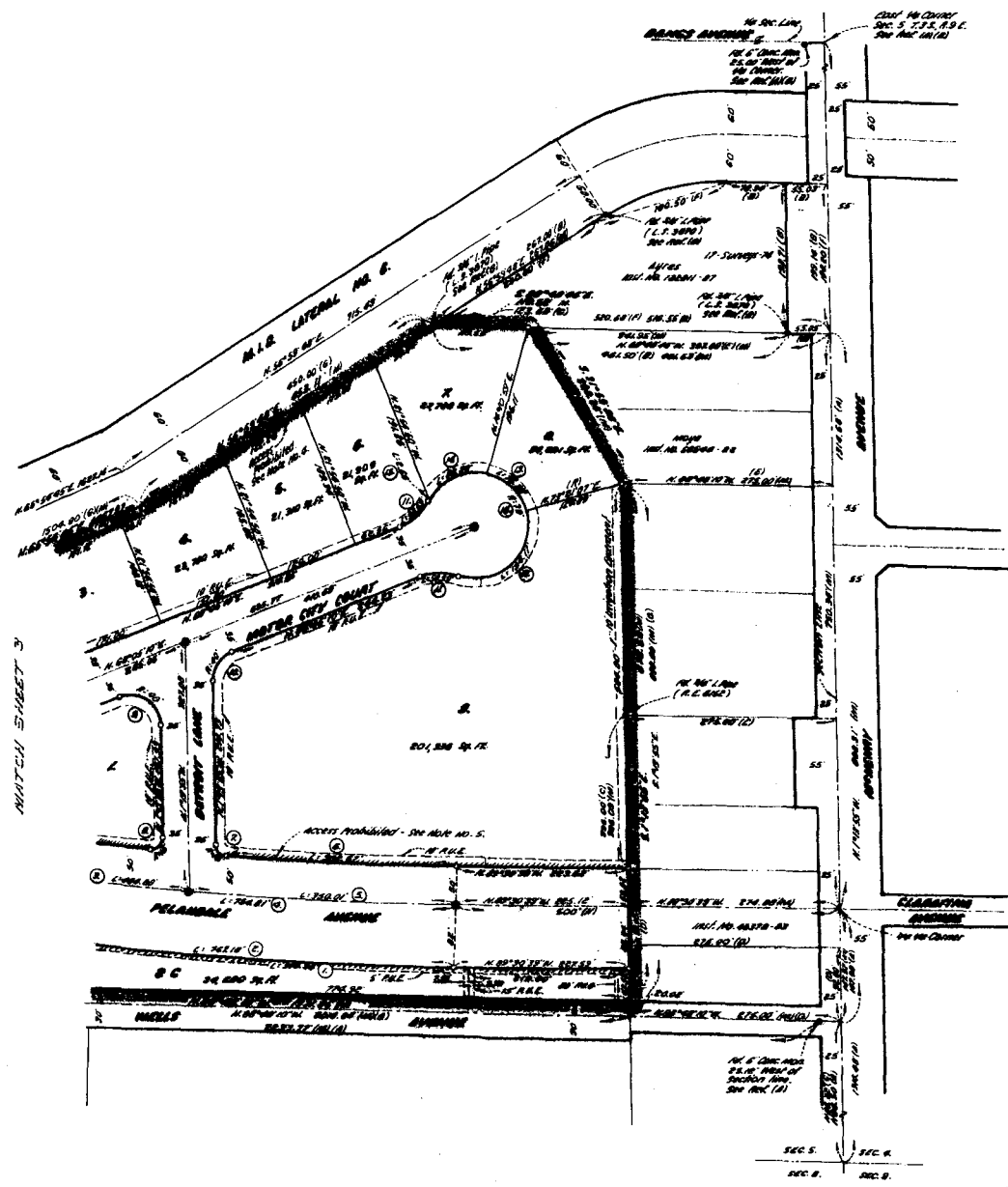
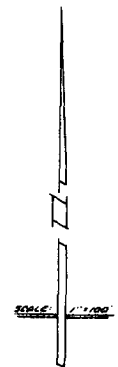
**RECORDED COPY:**  
FILED IN BOOK 12 OF MAPS OF MAPS, STANISLAUS COUNTY RECORDS, AT PAGE 53 OF MAPS OF MAPS, STANISLAUS COUNTY RECORDS, AT THE OFFICE OF THE COUNTY CLERK, STANISLAUS COUNTY, CALIFORNIA, ON MARCH 17, 1966.

Recorded in 049945  
for 100' fee  
DAM & VALLEY, COUNTY RECORDER  
by Pauline Johnson, deputy

SHEET 2 OF 3 SHEETS

JAN 10 1966

SEE CERTIFICATE OF CORRECTION 890052760



33-777-17

# LAVERTY INDUSTRIAL PARK

PLANS & SUBDIVISION OF A PORTION OF THE SOUTHWEST QUARTER OF SECTION 5, T.3S., R.9E., M.S.B.M. STANISLAUS COUNTY, CALIFORNIA.

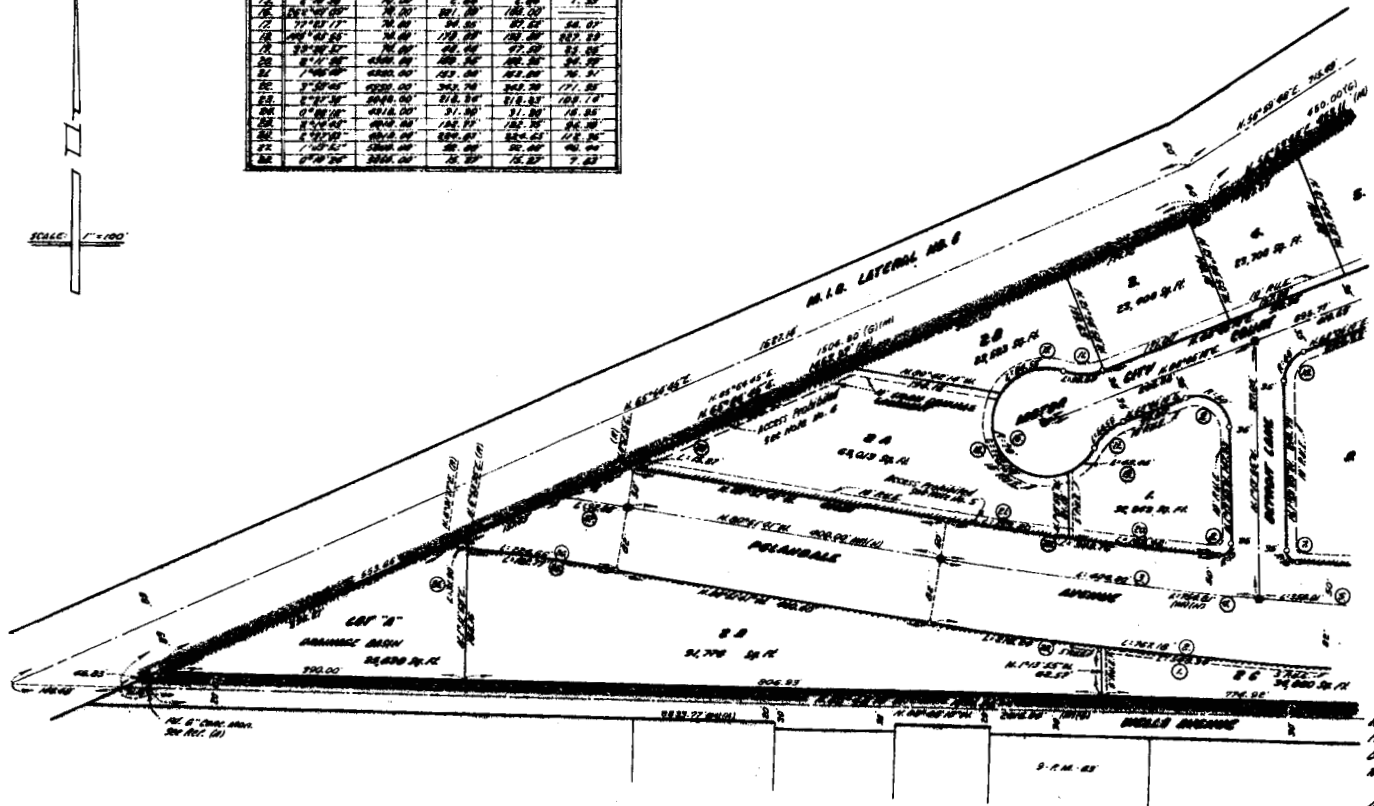
SCALE: 1" = 40'

MARCH, 1966

DAVID VALLEY ENGINEERING  
300 "W" STREET - SUITE "C"  
ARROYO, CALIFORNIA 95020

CURVE DATA:

NO.	ANGLE	BACKSIGHT	LENGTH	CHORD	TRANGULAR
1	67° 11' 30"	1000.00	508.34	508.34	508.34
2	67° 11' 30"	508.34	254.17	254.17	254.17
3	67° 11' 30"	254.17	127.09	127.09	127.09
4	67° 11' 30"	127.09	63.54	63.54	63.54
5	67° 11' 30"	63.54	31.77	31.77	31.77
6	67° 11' 30"	31.77	15.89	15.89	15.89
7	67° 11' 30"	15.89	7.94	7.94	7.94
8	67° 11' 30"	7.94	3.97	3.97	3.97
9	67° 11' 30"	3.97	1.98	1.98	1.98
10	67° 11' 30"	1.98	0.99	0.99	0.99
11	67° 11' 30"	0.99	0.49	0.49	0.49
12	67° 11' 30"	0.49	0.25	0.25	0.25
13	67° 11' 30"	0.25	0.12	0.12	0.12
14	67° 11' 30"	0.12	0.06	0.06	0.06
15	67° 11' 30"	0.06	0.03	0.03	0.03
16	67° 11' 30"	0.03	0.01	0.01	0.01
17	67° 11' 30"	0.01	0.00	0.00	0.00
18	67° 11' 30"	0.00	0.00	0.00	0.00
19	67° 11' 30"	0.00	0.00	0.00	0.00
20	67° 11' 30"	0.00	0.00	0.00	0.00
21	67° 11' 30"	0.00	0.00	0.00	0.00
22	67° 11' 30"	0.00	0.00	0.00	0.00
23	67° 11' 30"	0.00	0.00	0.00	0.00
24	67° 11' 30"	0.00	0.00	0.00	0.00
25	67° 11' 30"	0.00	0.00	0.00	0.00
26	67° 11' 30"	0.00	0.00	0.00	0.00
27	67° 11' 30"	0.00	0.00	0.00	0.00
28	67° 11' 30"	0.00	0.00	0.00	0.00
29	67° 11' 30"	0.00	0.00	0.00	0.00
30	67° 11' 30"	0.00	0.00	0.00	0.00
31	67° 11' 30"	0.00	0.00	0.00	0.00
32	67° 11' 30"	0.00	0.00	0.00	0.00
33	67° 11' 30"	0.00	0.00	0.00	0.00
34	67° 11' 30"	0.00	0.00	0.00	0.00
35	67° 11' 30"	0.00	0.00	0.00	0.00
36	67° 11' 30"	0.00	0.00	0.00	0.00
37	67° 11' 30"	0.00	0.00	0.00	0.00
38	67° 11' 30"	0.00	0.00	0.00	0.00
39	67° 11' 30"	0.00	0.00	0.00	0.00
40	67° 11' 30"	0.00	0.00	0.00	0.00
41	67° 11' 30"	0.00	0.00	0.00	0.00
42	67° 11' 30"	0.00	0.00	0.00	0.00
43	67° 11' 30"	0.00	0.00	0.00	0.00
44	67° 11' 30"	0.00	0.00	0.00	0.00
45	67° 11' 30"	0.00	0.00	0.00	0.00
46	67° 11' 30"	0.00	0.00	0.00	0.00
47	67° 11' 30"	0.00	0.00	0.00	0.00
48	67° 11' 30"	0.00	0.00	0.00	0.00
49	67° 11' 30"	0.00	0.00	0.00	0.00
50	67° 11' 30"	0.00	0.00	0.00	0.00
51	67° 11' 30"	0.00	0.00	0.00	0.00
52	67° 11' 30"	0.00	0.00	0.00	0.00
53	67° 11' 30"	0.00	0.00	0.00	0.00
54	67° 11' 30"	0.00	0.00	0.00	0.00
55	67° 11' 30"	0.00	0.00	0.00	0.00
56	67° 11' 30"	0.00	0.00	0.00	0.00
57	67° 11' 30"	0.00	0.00	0.00	0.00
58	67° 11' 30"	0.00	0.00	0.00	0.00
59	67° 11' 30"	0.00	0.00	0.00	0.00
60	67° 11' 30"	0.00	0.00	0.00	0.00
61	67° 11' 30"	0.00	0.00	0.00	0.00
62	67° 11' 30"	0.00	0.00	0.00	0.00
63	67° 11' 30"	0.00	0.00	0.00	0.00
64	67° 11' 30"	0.00	0.00	0.00	0.00
65	67° 11' 30"	0.00	0.00	0.00	0.00
66	67° 11' 30"	0.00	0.00	0.00	0.00
67	67° 11' 30"	0.00	0.00	0.00	0.00
68	67° 11' 30"	0.00	0.00	0.00	0.00
69	67° 11' 30"	0.00	0.00	0.00	0.00
70	67° 11' 30"	0.00	0.00	0.00	0.00
71	67° 11' 30"	0.00	0.00	0.00	0.00
72	67° 11' 30"	0.00	0.00	0.00	0.00
73	67° 11' 30"	0.00	0.00	0.00	0.00
74	67° 11' 30"	0.00	0.00	0.00	0.00
75	67° 11' 30"	0.00	0.00	0.00	0.00
76	67° 11' 30"	0.00	0.00	0.00	0.00
77	67° 11' 30"	0.00	0.00	0.00	0.00
78	67° 11' 30"	0.00	0.00	0.00	0.00
79	67° 11' 30"	0.00	0.00	0.00	0.00
80	67° 11' 30"	0.00	0.00	0.00	0.00
81	67° 11' 30"	0.00	0.00	0.00	0.00
82	67° 11' 30"	0.00	0.00	0.00	0.00
83	67° 11' 30"	0.00	0.00	0.00	0.00
84	67° 11' 30"	0.00	0.00	0.00	0.00
85	67° 11' 30"	0.00	0.00	0.00	0.00
86	67° 11' 30"	0.00	0.00	0.00	0.00
87	67° 11' 30"	0.00	0.00	0.00	0.00
88	67° 11' 30"	0.00	0.00	0.00	0.00
89	67° 11' 30"	0.00	0.00	0.00	0.00
90	67° 11' 30"	0.00	0.00	0.00	0.00
91	67° 11' 30"	0.00	0.00	0.00	0.00
92	67° 11' 30"	0.00	0.00	0.00	0.00
93	67° 11' 30"	0.00	0.00	0.00	0.00
94	67° 11' 30"	0.00	0.00	0.00	0.00
95	67° 11' 30"	0.00	0.00	0.00	0.00
96	67° 11' 30"	0.00	0.00	0.00	0.00
97	67° 11' 30"	0.00	0.00	0.00	0.00
98	67° 11' 30"	0.00	0.00	0.00	0.00
99	67° 11' 30"	0.00	0.00	0.00	0.00
100	67° 11' 30"	0.00	0.00	0.00	0.00



RECORDING CERTIFICATE:  
 Filed for Record in the Office of the County Recorder, Stanislaus County, California, on this 17th day of March, 1966, at 1:40 o'clock P.M. in Book 33 of Maps, at Page 17, Stanislaus County Records, at the request of David Valley Engineer.  
 Instrument No. 049945  
 P.C. 102 And  
 David Valley, County Recorder  
 by Pauline J. Jovanovic, Clerk

SHEET 3 OF 3 SHEETS

JOB NO. 60-551

33-777-17

SEE CERTIFICATE OF CORRECTION 879-052160



**DELAMARE - FULTZ**  
**ENGINEERING AND SURVEYING**  
3421 TULLY ROAD • SUITE J • MODESTO, CA. 95350  
TELEPHONE (209) 529-7450

- THOMAS H. DELAMARE  
R.C.E. NO. 36341, L.S. 3407
- RICHARD L. FULTZ  
R.C.E. NO. 27868, L.S. 3870
- J. STEVEN REICHMUTH  
L.S. NO. 4895
- RICHARD C. TATOYAN

June 29, 1988

**ANNEXATION TO NORTH McHENRY  
HIGHWAY LIGHTING DISTRICT**

**DESCRIPTION**

All that certain real property situate in a portion of the Southeast Quarter of Section 5, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

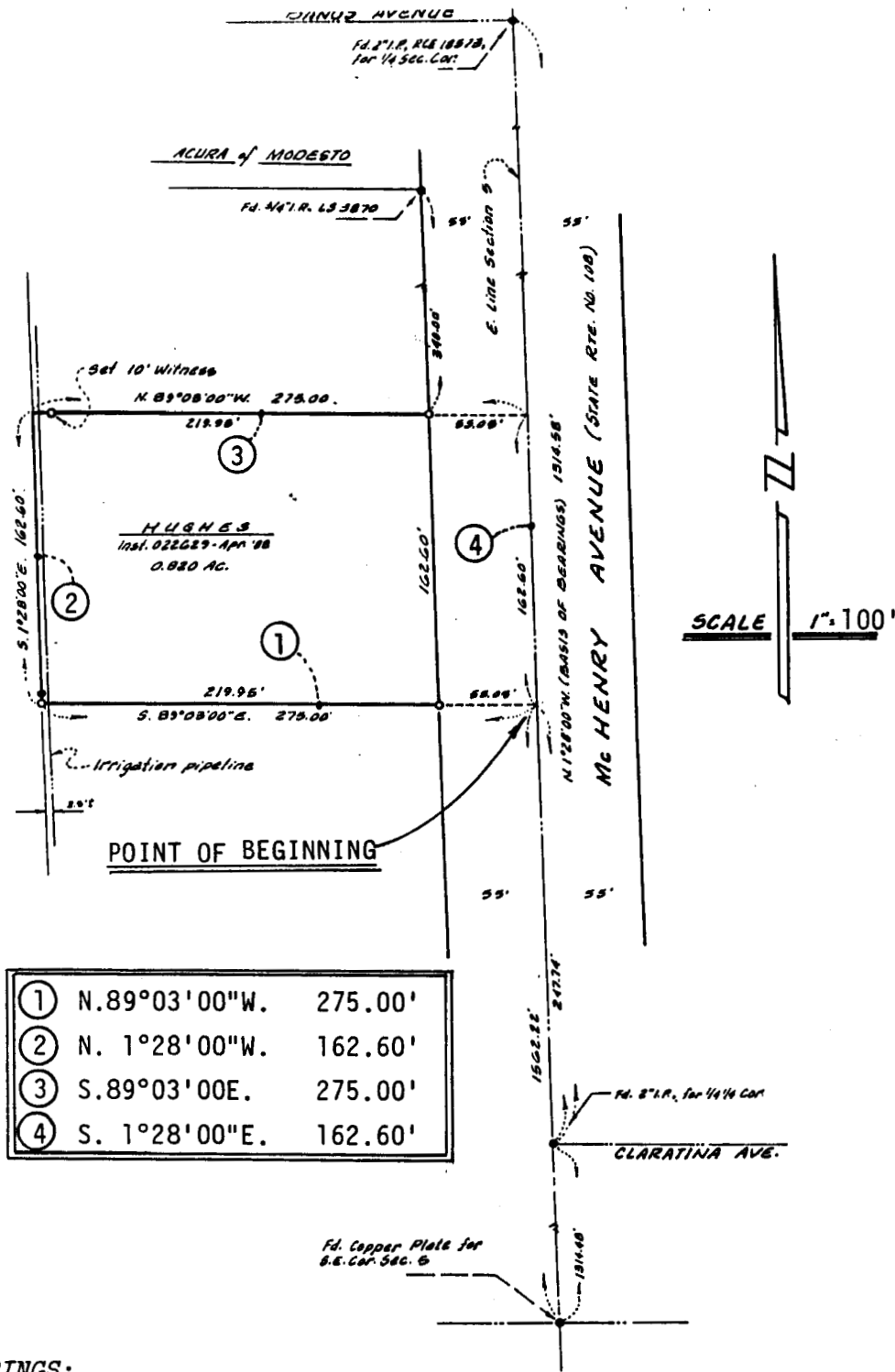
BEGINNING at a point on the section line between Sections 4 and 5, said point bears North 1°28' West, a distance of 1562.22 feet from the corner of Sections 4, 5, 8 and 9, above Township and Range; thence the following four courses:

- ① N. 89°03'00"W. 275.00'
- ② N. 1°28'00"W. 162.60'
- ③ S. 89°03'00"E. 275.00'
- ④ S. 1°28'00"E. 162.60'

to the point of beginning.

CONTAINING: 1.03 Acres





**BASIS OF BEARINGS:**

The bearing N.1°28'00"W. for the centerline of McHenry Avenue and East line of Section 5, as shown on map filed in Vol. 17, SURVEYS at Pg. 74, Stanislaus County Records.

**ANNEXATION TO NORTH McHENRY  
HIGHWAY LIGHTING DISTRICT**

**1.03 ACRES**



EXHIBIT

All that certain piece or parcel of land situated in and being a portion of the southeast quarter of Section 5, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Commencing at the section corner common to Sections 4, 5, 8 and 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence North 1°28' West, along the east line of Section 5, above Township and Range, a distance of 1442.22 feet to the true point of beginning of this description; thence North 89°03' West, a distance of 275.00 feet; thence North 1°28' West, parallel with the east line of said Section 5, a distance of 120.00 feet; thence South 89°03' East, a distance of 275.00 feet to a point on the east line of said Section 5; thence South 1°28' East, along the east line of said Section 5, a distance of 120.00 feet to the point of beginning of this description.

Excepting therefrom the easterly 25 feet for road purposes.

Also excepting therefrom that portion conveyed to the County of Stanislaus by Deed dated July 19, 1974 and recorded July 22, 1974 in Book 2642 of Official Records, at page 453, as Instrument No. 2766.

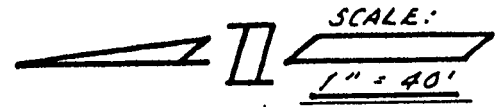
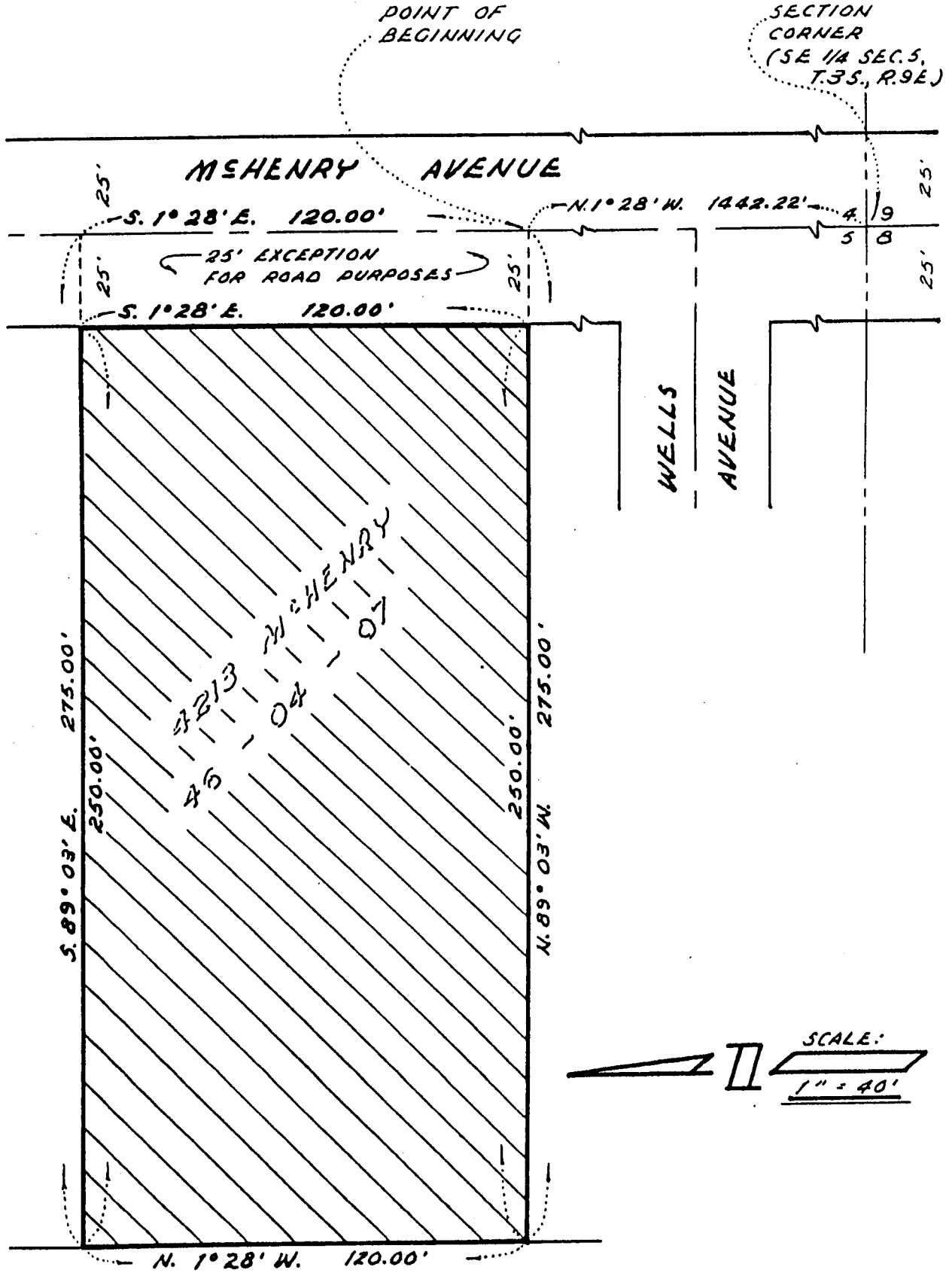


P.O. Box 816 MODESTO, CALIFORNIA 95353  
(209) 526-4214

PLAT TO ACCOMPANY  
PETITION FOR  
ANNEXATION TO A  
LIGHTING DISTRICT

Drawn U. I.  
Date AUG. '88  
Scale 1" = 40'  
Job No. 70-109

OF 1



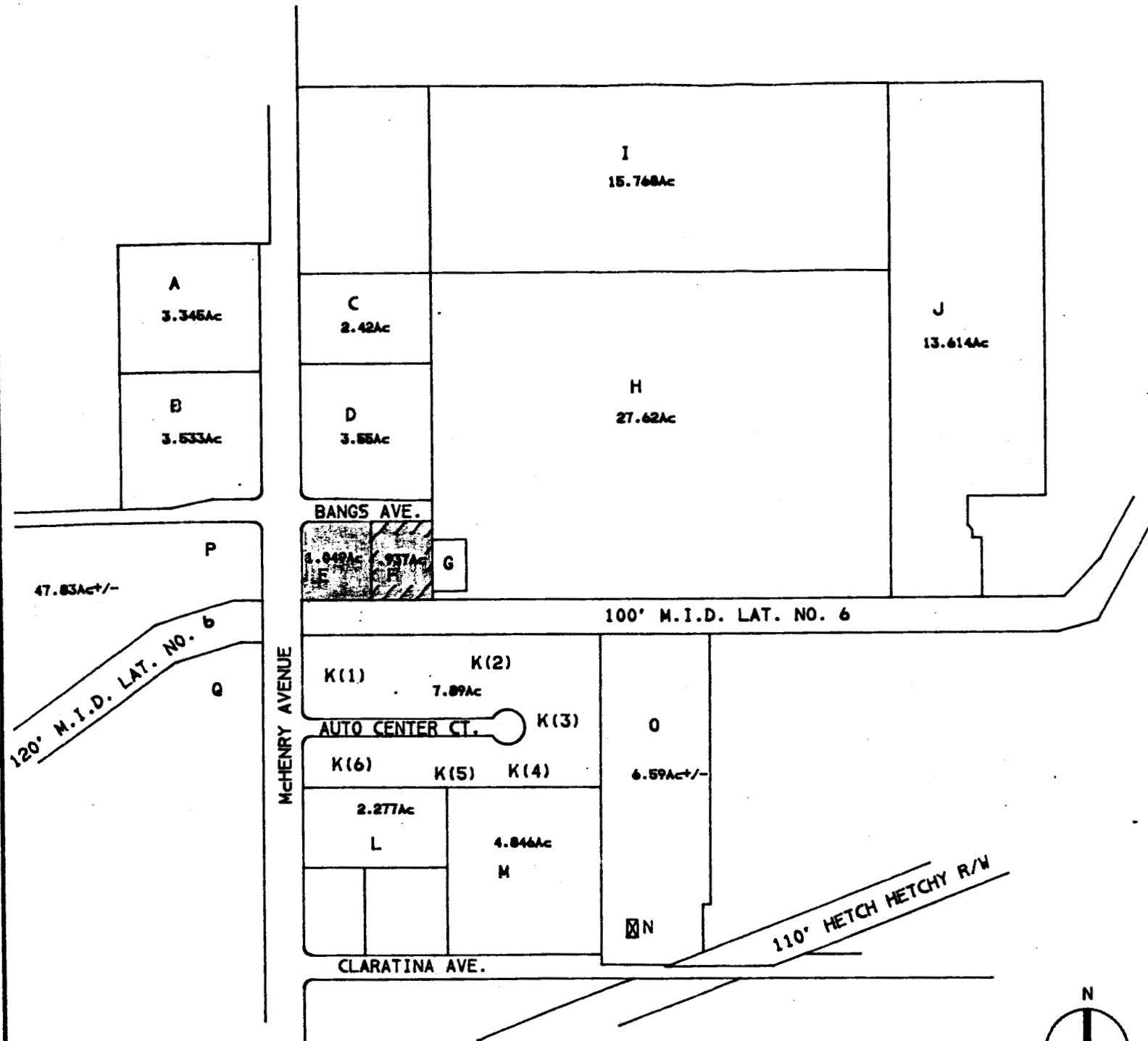
Date: September 28, 1988

**LEGAL DESCRIPTION**

All of that certain parcel of land lying within the southwest 1/4 of Section 4, T.3S., R.9E., M.D.B.&M., more particularly described as follows:

All of Parcel 2 as shown on that Parcel Map recorded in Book 36 of Parcel Maps at Page 5, Stanislaus County Records together with all of Parcel 2 as shown on that Parcel Map recorded in Book 31 of Parcel Maps at Page 89, Stanislaus County Records.

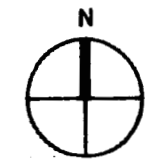
Containing 1.986 acres more or less.



LAND USE LEGEND

- A MODESTO NISSAN
- B MODESTO TOYOTA
- C FIRESIDE DODGE
- D CENTRAL VALLEY VOLKWAGON, CHYSLER, PLYMOUTH
- E FLORAL SUPPLY CENTER
- F COACH REPAIR, INC.
- G RESIDENTIAL HOUSE
- H AGRI. / OPEN
- I AGRI. / RESIDENCE
- J AGRI. / RESIDENCE
- K MODESTO AUTO CENTER
- K(1) MODESTO HYUNDAI
- K(2) PEUGEOT CENTER
- K(3) MODESTO BMW
- K(4) SUBARU
- K(5) DIAHATSU
- K(6) MITSUBISHI
- L GROSSMAN'S WAREHOUSE
- M STORAGE / OPEN
- N RESIDENCE
- O SEVENTH DAY ADVENTIST CHURCH
- P AGRI. / ORCHARD
- Q ACURA OF MODESTO

AREA MAP  
SCALE: 1"=400.0'





A Professional Corporation

900 "H" ST., SUITE G • P. O. BOX 816 • MODESTO, CA 95353  
(209) 526-4214 • FAX (209) 526-0803

October 19, 1989

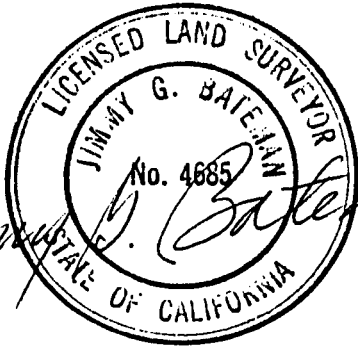
LEGAL DESCRIPTION

To Accompany a Petition for Annexation to the  
North McHenry Lighting District

All that certain real property situate in a portion of the Northwest quarter of Section 4, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and lying in the County of Stanislaus, State of California, more particularly described as follows:

COMMENCING at the Northwest corner of Parcel "B", as shown on the map filed in Book 37 of Parcel Maps, at Page 63, Stanislaus County Records; thence South 89°32'30" East, 175.00 feet; thence South 1°18'21" East, 524.03 feet; thence North 89°18'50" West, 175.00 feet; thence North 1°18'30" West, 523.33 feet to the point of beginning of this description.

Containing 2.10 acres.

  
*Jimmy G. Bateman*



MARY SOUZA

POINT OF BEGINNING

PROJECT SITE 2.10 AC.

PARCEL "A"  
37-AM-63

PARCEL "A"  
36-AM-70

PARCEL "A"  
38-AM-97

PARCEL "B"  
38-AM-97

"2"  
31-AM-89

"2"  
36-AM-5

PARCEL "B"  
37-AM-63

PARCEL "B"  
36-AM-5

AVENUE

McHENRY

BANGS

AVE.

100' M.I.D. LATERAL NO. 6

**BOUNDARY DATA:**

- ① S. 89° 32' 30" E. 175.00'
- ② S. 1° 18' 21" E. 524.03'
- ③ N. 89° 18' 50" W. 175.00'
- ④ N. 1° 18' 30" W. 523.33'



A Professional Corporation

900 "H" ST., SUITE G • P. O. BOX 816 • MODESTO, CA 95353  
(209) 526-4214 • FAX (209) 526-0803

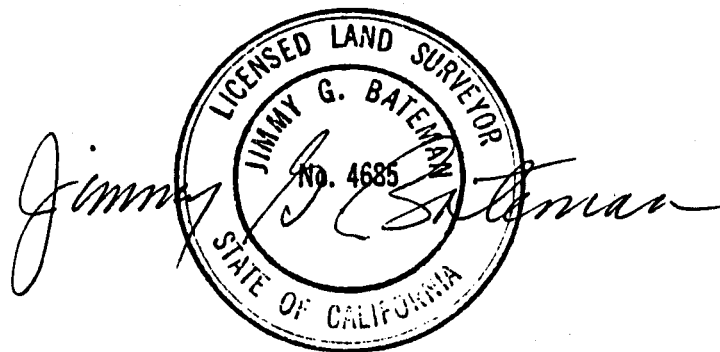
**LEGAL DESCRIPTION**

**To Accompany a Petition for Annexation to the  
North McHenry Lighting District**

ALL that certain real property situate in a portion of the Northeast quarter of Section 5, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and lying in the County of Stanislaus, State of California, more particularly described as follows:

COMMENCING at the Northwest corner of Parcel "B", as shown on the map filed in Book 36 of Parcel Maps, at Page 48, Stanislaus County Records; thence South 89 degrees 08'36" East 622.13 feet along the Northerly line of said Parcel "B" to the Northeasterly corner thereof; thence South 1 degree 42'30" East along the Easterly line and prolongation of the Easterly line of said Parcel "B", 417.40 feet to a point on the centerline of Bangs Avenue; thence North 89 degrees 11'16" West along said centerline, 622.71 feet to a point on the prolongation of the Westerly line of said Parcel "B"; thence North 1 degree 37'38" West along said prolongation and the Westerly line of said Parcel "B", 417.86 feet to the Point of Beginning of this description.

Containing 5.962 acres.





PETITION FOR ANNEXATION  
to the  
North McHenry Lighting District

Date Dec. 1989

Scale 1" = 150'

Job No. 70-149

1.

OF 1.

BANGS AVENUE

N. 1°37'38" W. 417.86'

Point of Beginning.

N. 89°11'6" W. 622.71'

PROPOSED ANNEXATION  
North McHenry Lighting District

PARCEL 2  
36 P.M. 91

PARCEL 1  
36 P.M.  
43 P.M.-47

S. 89°08'36" E. 622.13'

S. 1°42'30" E. 417.40'

PARCEL 1  
36 P.M. 48

PARCEL 1  
36 P.M. 91

400.40'

McHENRY AVENUE

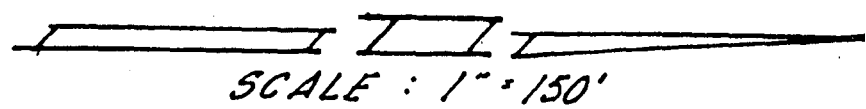


EXHIBIT "A"

LEGAL DESCRIPTION

Annexation to the North McHenry  
Lighting District

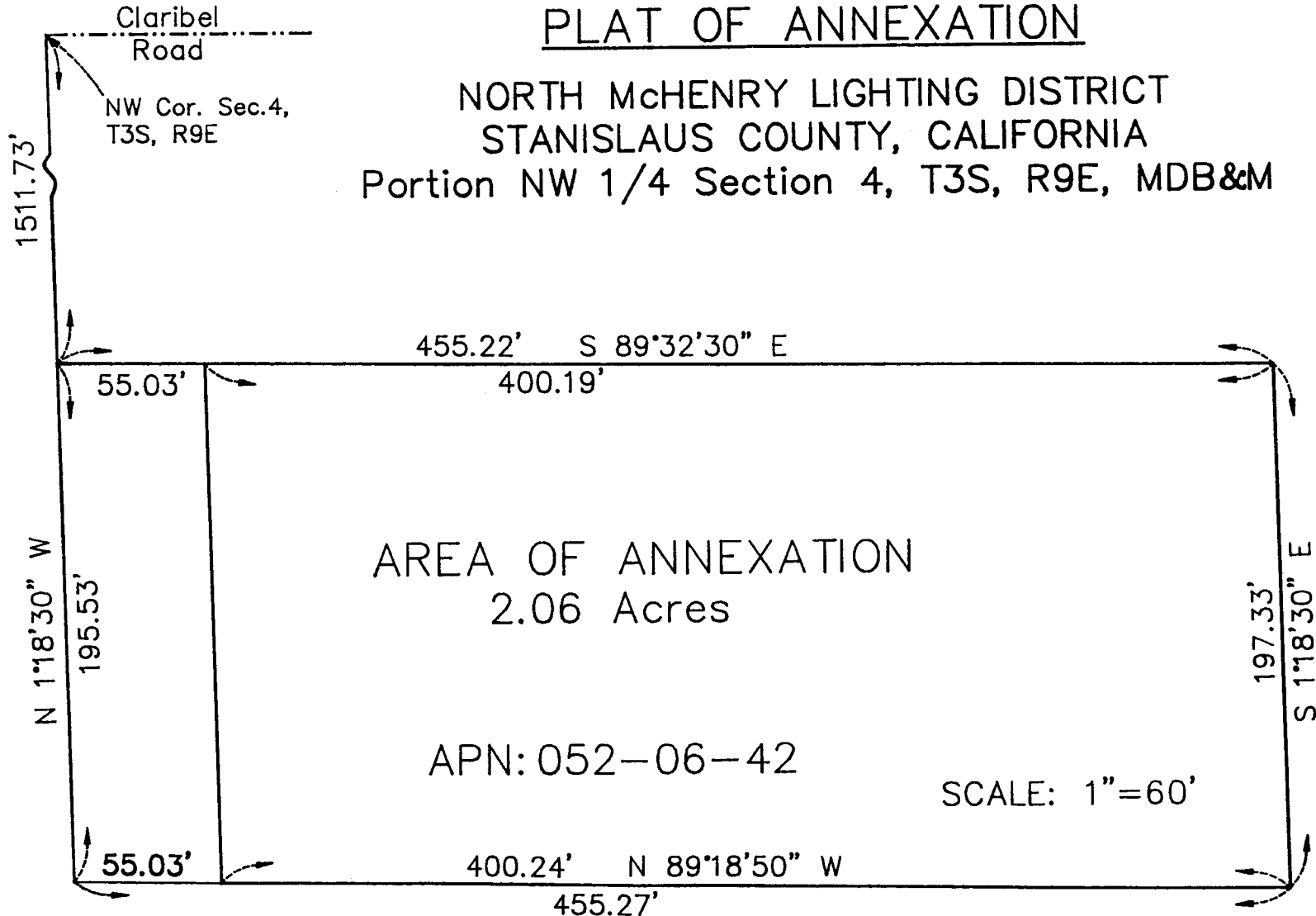
All that certain real property situated in a portion of the northwest quarter of Section 4, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, Stanislaus County, State of California, described as follows:

Commencing at the northwest corner of said Section 4, thence South  $1^{\circ} 18' 30''$  East, 1511.73 feet along the west section line (also the center line of McHenry Avenue) of said Section 4 to the POINT OF BEGINNING; said point being the intersection of the westerly prolongation of the north line of Parcel "A" as shown on the official map recorded in Book 37 of Parcel Maps at Page 63, Stanislaus County Records, with said west section line; thence South  $89^{\circ} 32' 30''$  East, 55.03 feet to the easterly right-of-way line of McHenry Avenue and the northwest corner of said Parcel "A"; thence continuing South  $89^{\circ} 32' 30''$  East, 400.19 feet along the north line of said Parcel "A" to the northeast corner of said Parcel "A"; thence South  $1^{\circ} 18' 30''$  East, 197.33 feet along the east line of said Parcel "A" to the southeast corner of said Parcel "A"; thence North  $89^{\circ} 18' 50''$  West, 400.24 feet along the south line of said Parcel "A" to the southwest corner of said Parcel "A"; thence continuing North  $89^{\circ} 18' 50''$  West, 55.03 feet to the west line of said Section 4; thence North  $1^{\circ} 18' 30''$  West, along the west section line of said Section 4, 195.53 feet to the point of beginning.

Containing 2.06 acres, more or less.

EXHIBIT "B"  
PLAT OF ANNEXATION

NORTH McHENRY LIGHTING DISTRICT  
STANISLAUS COUNTY, CALIFORNIA  
Portion NW 1/4 Section 4, T3S, R9E, MDB&M



October 5, 1992

EXHIBIT "A"

ANNEXATION TO NORTH McHENRY LIGHTING DISTRICT

D E S C R I P T I O N

All that certain real property situate in a portion of the West Half of the Southwest Quarter of the Southeast Quarter of Section 32, Township 2 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

COMMENCING at the southeast corner of said West Half of the Southwest Quarter of the Southeast Quarter of Section 32; thence North 88°51'47" West along the south line of said West Half of the Southwest Quarter of the Southeast Quarter of Section 32 a distance of 153.86 feet to the true POINT OF BEGINNING of this description; thence North 0°35'21" West 130.00 feet; thence Northerly 98.43 feet along a tangent curve, concave to the east, having a radius of 470.00 feet and a central angle of 11°59'56" to a point of reverse curve; thence Northerly 110.99 feet along said reverse curve, concave to the west, having a radius of 530.00 feet and a central angle of 11°59'56"; thence North 0°35'21" West 409.47 feet; thence Northeasterly 468.30 feet along a tangent curve, concave to the southeast, having a radius of 968.00 feet and a central angle of 27°43'06"; thence North 27°07'45" East 52.24 feet to the east line of said West Half of the Southwest Quarter of the Southeast Quarter of Section 32; thence North 0°25'53" West along said east line of the West Half of the Southwest Quarter of the Southeast Quarter of Section 32, a distance of 71.42 feet to the northeast corner of said West Half of the Southwest Quarter of the Southeast Quarter of Section 32; thence North 88°52'48" West along the north line of said West Half of the Southwest Quarter of the Southeast Quarter of Section 32, a distance of 628.16 feet to the east line of a Tidewater and Southern Railroad Company Right-of-way granted by Deed recorded January 12, 1912, in Volume 163 of Deeds, Page 206, Stanislaus County Records; thence South 0°27'50" East along said east line of Tidewater and Southern Railroad Company Right-of-way, a distance of 1319.75 feet to the south line of said West Half of the Southwest Quarter of the Southeast Quarter of Section 32; thence South 88°51'47" East along said south line of the West Half of the Southwest Quarter of the Southeast Quarter of Section 32, being also the centerline of Kiernan Road, a distance of 473.55 feet to the point of beginning.

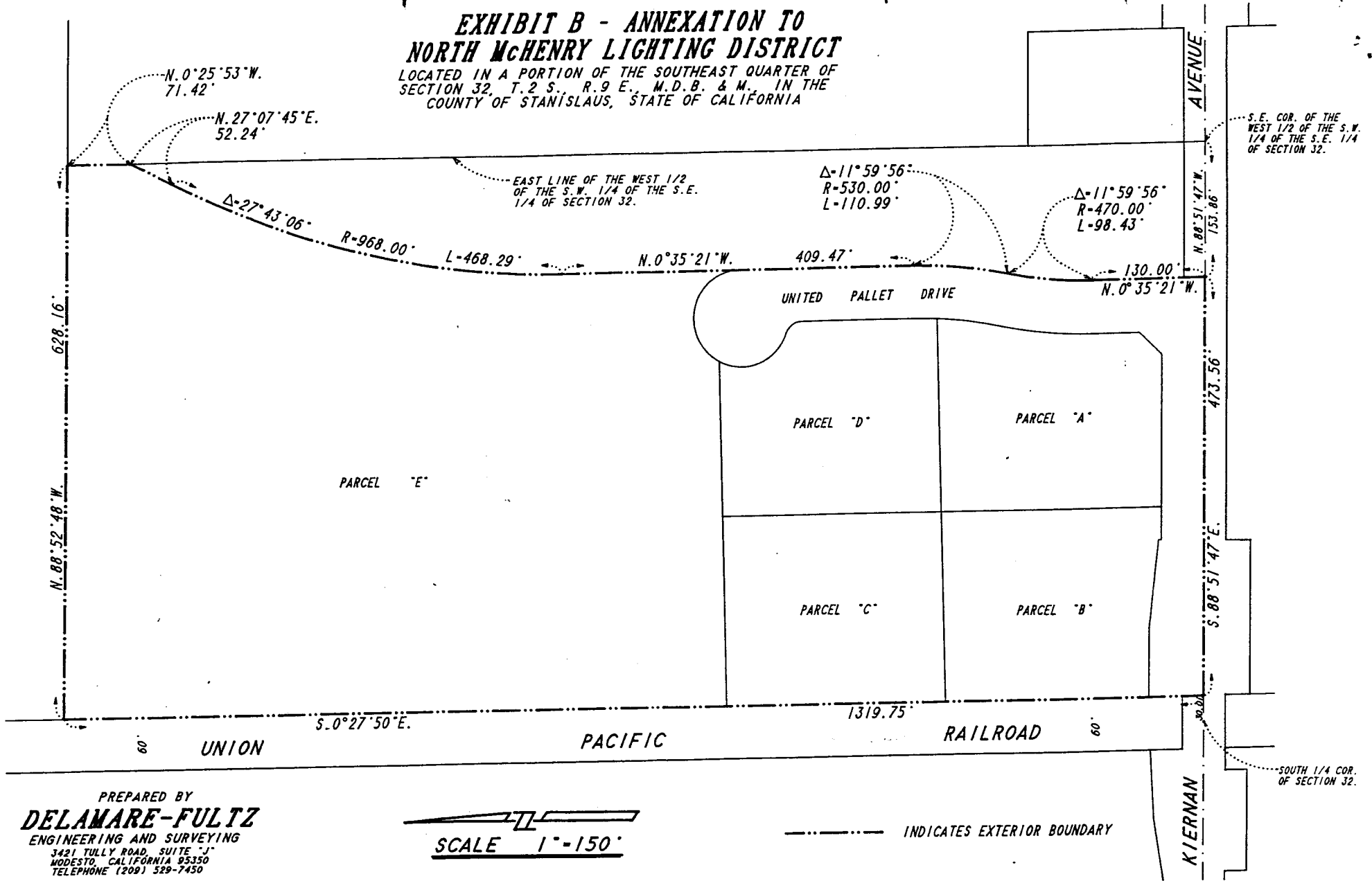
Containing: 15.58 Acres



*Steven Reichmuth*

# EXHIBIT B - ANNEXATION TO NORTH MCHENRY LIGHTING DISTRICT

LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF  
SECTION 32, T.2 S., R.9 E., M.D.B. & M., IN THE  
COUNTY OF STANISLAUS, STATE OF CALIFORNIA



PREPARED BY  
**DELAMARE-FULTZ**  
ENGINEERING AND SURVEYING  
3421 TULLY ROAD, SUITE "J"  
MODESTO, CALIFORNIA 95350  
TELEPHONE (209) 529-7450

**SCALE 1"=150'**

----- INDICATES EXTERIOR BOUNDARY

# Exhibit A

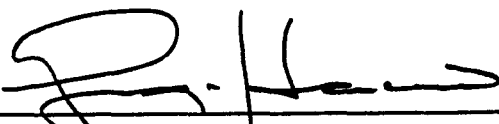
## LEGAL DESCRIPTION FOR THE NORTH McHENRY LIGHTING DISTRICT

Being a portion of the west half of Section 4, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, situate in the County of Stanislaus, State of California, more particularly described as follows:

Commencing at the northwest corner of said Section 4; thence South 1°18'30" East along the west line of said Section 4 and the center line of McHenry Avenue, a distance of 2,033.24 feet, more or less to the westerly prolongation of Parcel "A" as shown in Book 38 of Parcel Maps at Page 97, Stanislaus County Records, and the True Point of Beginning: thence South 89°18'50" East along the north line of said Parcel "A" and the prolongation thereof, a distance of 455.28 feet to the northeast corner of said Parcel "A"; thence South 1°18'30" East along the east line of said Parcel "A", a distance of 256.33 feet to the southeast corner of said Parcel "A"; thence South 88°41'30" West along the south line of said Parcel "A" and the westerly prolongation thereof, a distance of 455.00 feet to the centerline of McHenry Avenue and the west line of said Section 4; thence North 1°18'30" West along said centerline of McHenry and the said west line of said Section 4, a distance of 272.17 feet, more or less, to the point of beginning.

Contains 2.76 acres, more or less.



  
George Harcrow, L.S. 6494  
License Expires: 06/30/95

5/17/93  
Date

CLAIRIBEL ROAD

N.W. COR. SEC. 4, T 3 S, R 9 E  
POINT OF COMMENCEMENT

2033.24'

POINT OF BEGINNING

S 89°18'50" E

455.28'

55'

400.24'

EXISTING BOUNDARY OF  
NORTH McHENRY  
LIGHTING DISTRICT

McHENRY AVENUE

272.17'

N 01°18'30" W

PARCEL "A"  
38-PM-97

256.33'

S 01°18'30" E



SCALE: 1" = 60'

**EXHIBIT "B"**

SKETCH TO ACCOMPANY  
LEGAL DESCRIPTION

**LEW-GARCIA-DAYS**  
ENGINEERING/SURVEYING  
MAPPING/PLANNING  
3041 MITCHELL ROAD    OFFICE: 011 81307  
(708) 500-1000

**CENTRAL VALLEY NISSAN**  
ANNEXATION TO THE  
**NORTH McHENRY LIGHTING DIST.**

DATE: 8-17-83    SCALE: 1"=60'  
DRAWN BY: SH    DWG FILE: 3008SKCH  
CHECKED BY:    JOB NO. 83008

S 88°41'30" W

400.00'

455.00'

PARCEL "B"  
38-PM-97

55'



A Professional Corporation

900 "H" ST., SUITE G • P. O. BOX 816 • MODESTO, CA 95353  
(209) 526-4214 • FAX (209) 526-0803

October 28, 1994

Job No. 70-579

**EXHIBIT "A"**

**AMERICAN CHEVROLET / GEO  
ANNEXATION TO THE  
NORTH MCHENRY LIGHTING DISTRICT**

ALL that certain real property being all of PARCEL 1 as shown in Book 42 of Parcel Maps at Page 1, Stanislaus County Records, and a portion of the Northwest quarter of Section 4, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, being more particularly described as follows:

COMMENCING for reference at the Northwest corner of the above mentioned Section 4, as shown in said Book 42 of Parcel Maps at Page 1; thence South 01 degrees 14' 29" East along the West line of said section and along the centerline of a county road known as McHenry Avenue / State Highway No. 108, a distance of 2507.27 feet to the TRUE POINT OF BEGINNING; thence leaving last said lines and proceeding South 89 degrees 27' 51" East, a distance of 55.03 feet to the Northwest corner of the above mentioned PARCEL 1; thence continuing South 89 degrees 27' 51" East along the North line of said parcel a distance of 400.02 feet to the Northeast corner thereof; thence South 01 degrees 14' 29" East along the East line of said parcel, a distance of 563.25 feet to the Southeast corner thereof and a point on the existing boundary line of the North McHenry Lighting District; thence North 89 degrees 27' 51" West along the South line of said parcel (and the Westerly extension thereof), and along said existing boundary line, a distance of 455.05 feet to a point on the above mentioned centerline of McHenry Avenue / State Highway No. 108; thence leaving said boundary line and proceeding North 01 degrees 14' 29" West along said centerline, a distance of 563.25 feet to the POINT OF BEGINNING.

not  
2507.27'

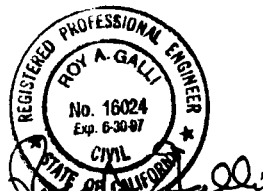
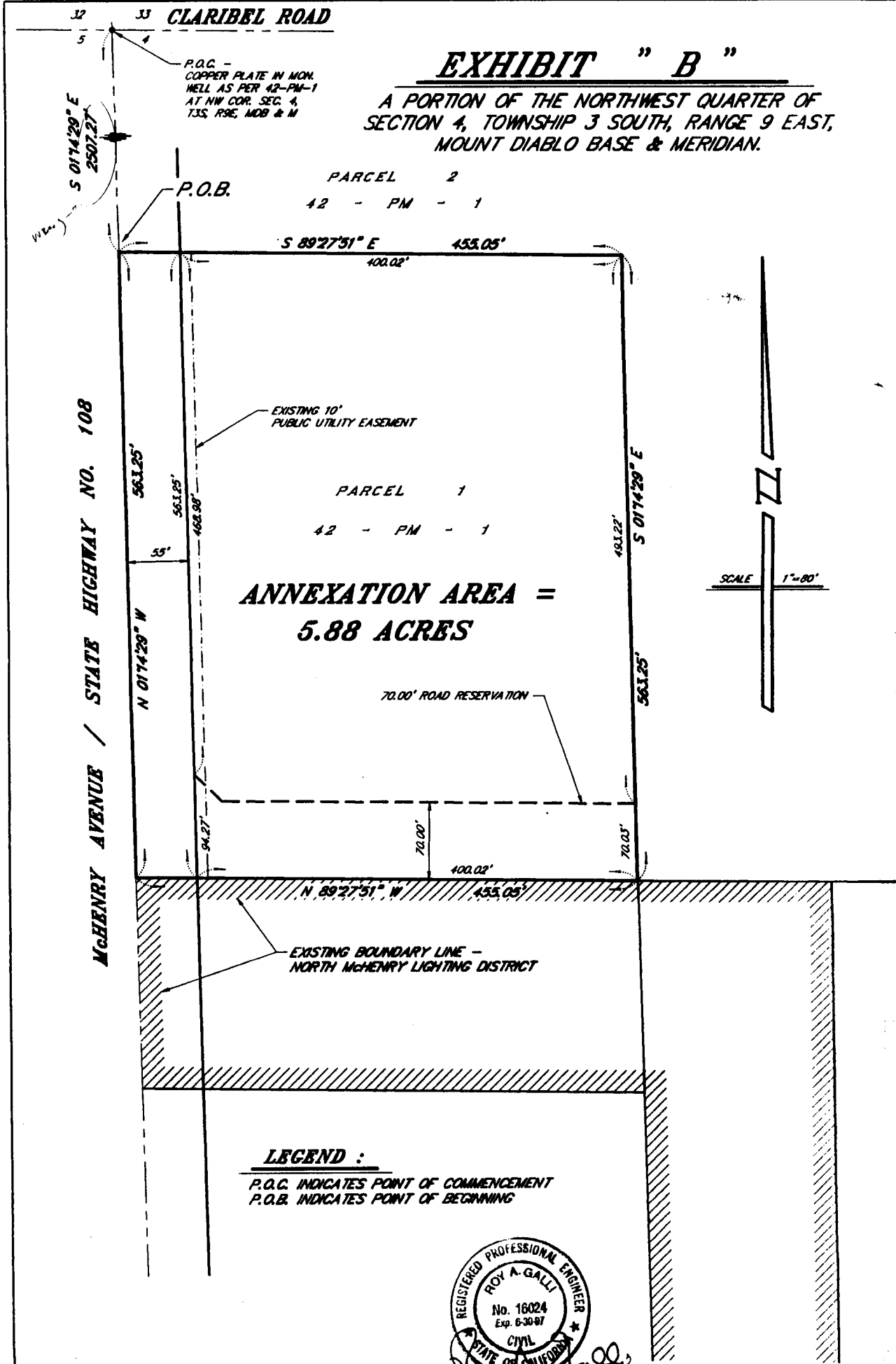
SUBJECT TO all easements and/or rights-of-way of record.

Containing 5.88 acres, more or less.

*Roy A. Galli*  
Roy A. Galli R.C.E. 16024 10/28/94







# Exhibit "A"

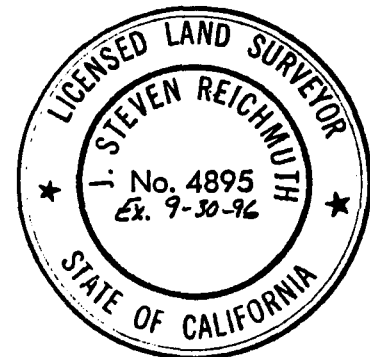
## ANNEXATION TO THE NORTH MCHENRY LIGHTING DISTRICT

### DESCRIPTION

All that certain real property situate in a portion of the East Half of the Northeast Quarter of the Southeast Quarter of Section 4, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus and the State of California, more particularly described as follows:

COMMENCING at the southeast corner of said Northeast Quarter of the Southeast Quarter of Section 4; thence North  $1^{\circ}08'11''$  West along the east line of said Section 4, being also the centerline of Coffee Road, a distance of 28.78 feet to the existing centerline of Claratina Avenue and the true POINT OF BEGINNING of this description; thence North  $88^{\circ}58'12''$  West along said centerline of Claratina Avenue, a distance of 660.11 feet to the west line of said East Half of the Northeast Quarter of the Southeast Quarter of Section 4; thence North  $1^{\circ}08'56''$  West along said west line a distance of 1213.17 feet to a point on the southerly line of a 110.00 foot wide Hetch Hetchy right-of-way described in Grant Deed to the City and County of San Francisco filed in Volume 71 of Official Records at Page 231, Stanislaus County Records; thence North  $70^{\circ}10'35''$  East along said southerly line a distance of 252.67 feet to the north line of said Southeast Quarter of Section 4; thence South  $89^{\circ}07'21''$  East along said north line of the Southeast Quarter of Section 4, a distance of 420.81 feet to the northeast corner of said Southeast Quarter of Section 4; thence South  $1^{\circ}08'11''$  East along the east line of said Section 4, being also said centerline of Coffee Road, a distance of 1304.29 feet to the point of beginning.

Containing: 19.50 Acres



*Steven Reichmuth*

**EXHIBIT "B"**  
**ANNEXATION TO THE NORTH McHENRY LIGHTING DISTRICT**

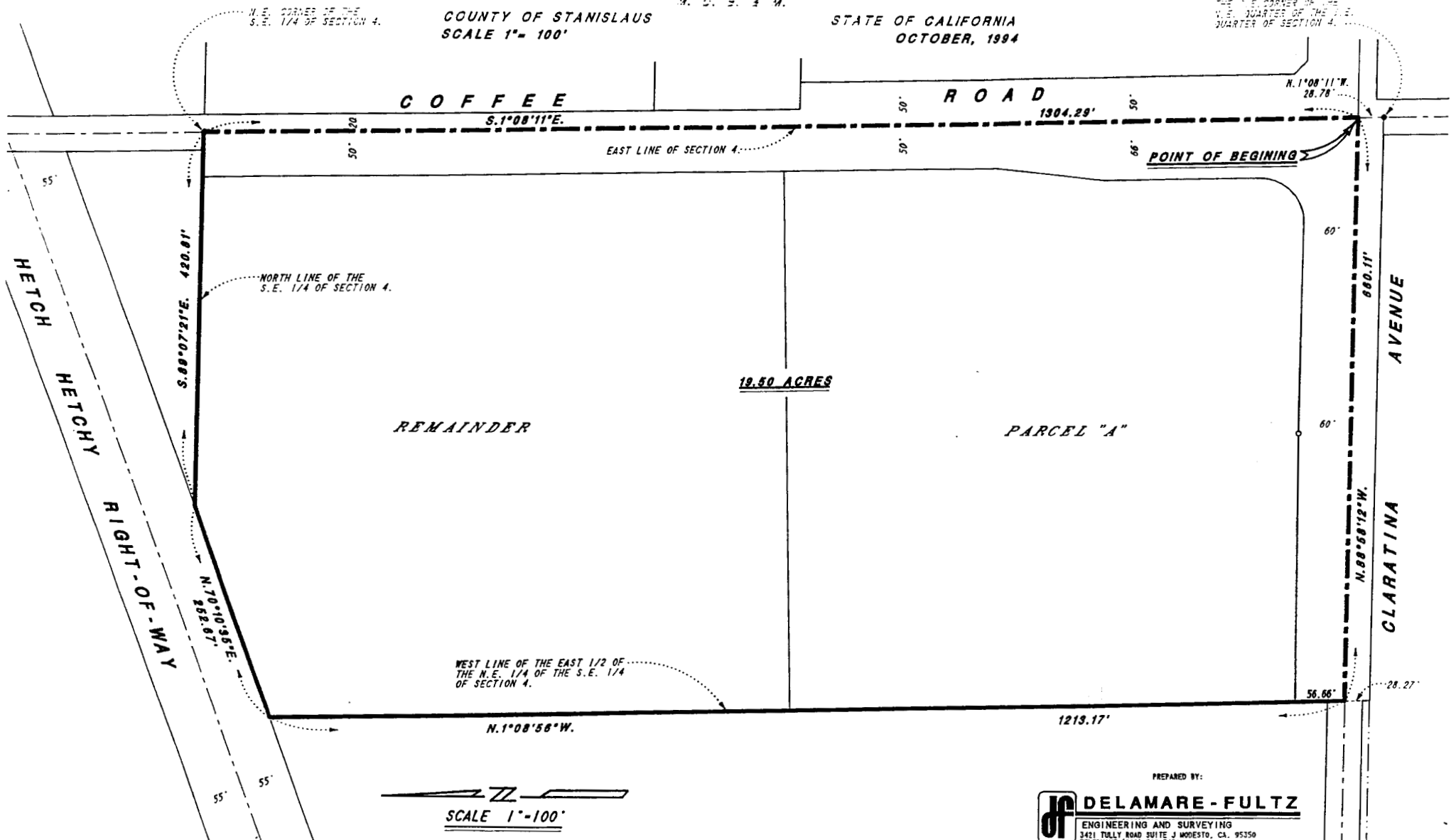
BEING A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER  
 OF THE SOUTHEAST QUARTER OF SECTION 4, T.3 S., R.9 E.,

M. D. E. & M.

STATE OF CALIFORNIA  
 OCTOBER, 1994

COUNTY OF STANISLAUS  
 SCALE 1"= 100'


**POINT OF COMMENCEMENT**  
 THE N.E. CORNER OF THE  
 N.E. QUARTER OF THE N.E.  
 QUARTER OF SECTION 4.



N.E. CORNER OF THE  
 S.E. 1/4 OF SECTION 4.

NORTH LINE OF THE  
 S.E. 1/4 OF SECTION 4.

WEST LINE OF THE EAST 1/2 OF  
 THE N.E. 1/4 OF THE S.E. 1/4  
 OF SECTION 4.

  
 SCALE 1"=100'

PREPARED BY:  
 **DELAMARE-FULTZ**  
 ENGINEERING AND SURVEYING  
 3421 TULLY ROAD SUITE J MODESTO, CA. 95350  
 TELEPHONE (209) 529-7450

## DESCRIPTION

All that certain parcel of land lying within the northeast quarter of Section 5, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, said parcel of land being all of Parcel 2 as shown on that certain map filed for record in Book 36 of Parcel Maps at page 91, Stanislaus County Records, being more particularly described as follows:

Beginning at the southwest corner of said Parcel 2, said southwest corner of Parcel 2 being distant thereon North  $89^{\circ}11'16''$  West 1078.15 feet and North  $1^{\circ}37'38''$  West 417.86 feet from the east quarter corner of Section 5, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence, along the west line of said Parcel 2, North  $1^{\circ}37'38''$  West 364.24 feet to the northwest corner of said Parcel 2; thence, along the north line of said Parcel 2, South  $89^{\circ}08'36''$  East 621.62 feet to the northeast corner of said Parcel 2; thence, along the east line of said Parcel 2, South  $1^{\circ}42'30''$  East 364.26 feet to the southeast corner of said Parcel 2; thence, along the south line of said Parcel 2, North  $89^{\circ}08'36''$  West 622.14 feet to the point of beginning.

Containing 5.195 acres more or less.

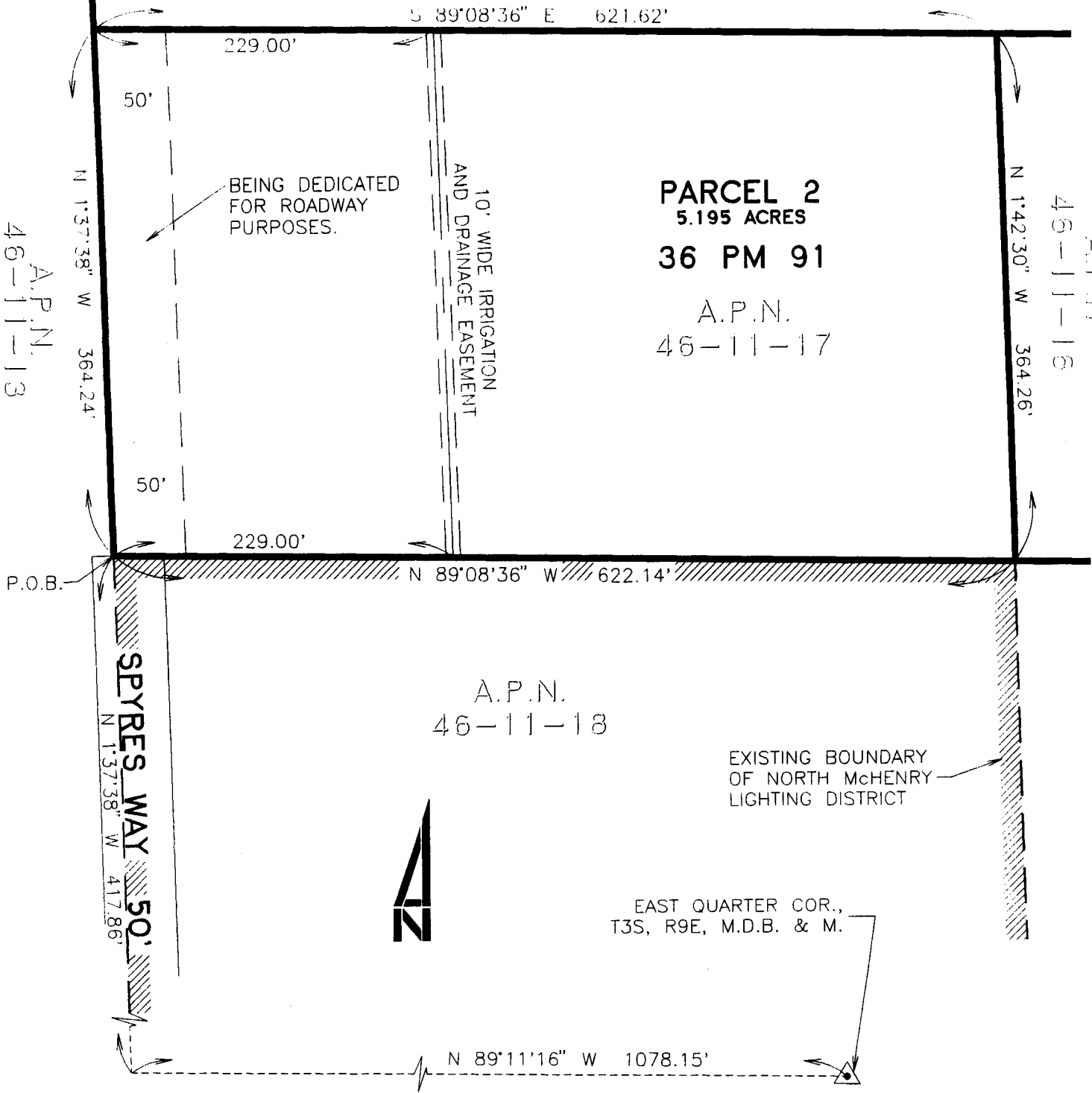


Duane C. Kimball  
Professional Land Surveyor

Exhibit "A"

# EXHIBIT B

A.P.N.  
46-11-15



<b>OWNER:</b>	MODESTO TOYOTA
<b>ADDRESS:</b>	
<b>SCALE:</b>	1" = 100'
<b>DRAWN BY:</b>	O.D.T.
<b>JOB NO.:</b>	96015
<b>DATE:</b>	MARCH 7, 1996
<b>REV.</b>	<b>DATE</b>
1	3/25/96 ADD 1/4 COR

PLAT TO ACCOMPANY  
DESCRIPTION  
FOR  
LIGHTING DISTRICT

**DUANE C. KIMBALL**  
LICENSED LAND SURVEYOR

PROCESSING  
RECORD MAPPING  
CONTROL SURVEYS  
TOPOGRAPHIC MAPPING  
CONSTRUCTION STAKING

**dck**

909 15th STREET, SUITE 6  
MODESTO, CA 95354

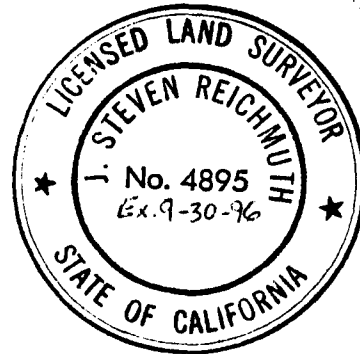
ANNEXATION TO  
NORTH MCHENRY LIGHTING DISTRICT

DESCRIPTION

All that certain real property situate in a portion of the south half of Section 5, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

COMMENCING at the southeast corner of said Section 5; thence North 1° 18'30" West along the east line of said Section 5 a distance of 544.54 feet to the easterly extension of the south line of Parcel "Y" as shown on map filed for record in Book 47 of Parcel Maps, Page 44, Stanislaus County Records, and the true POINT OF BEGINNING of this description; thence North 88° 53'10" West along said south line of Parcel "Y" and the easterly extension thereof, a distance of 279.25 feet to the southwest corner of said Parcel "Y"; thence North 1° 18'30" West along the west line of said Parcel "Y" a distance of 168.28 feet to the northwesterly corner of said Parcel "Y"; thence North 70° 05'18" East along the northerly line of said Parcel "Y" and northeasterly extension thereof, being also the southerly line of 110 foot wide Hetch Hetchy Right-of-Way as described in Deed to the City and County of San Francisco recorded in Volume 34 of Official Records, Page 348, Stanislaus County Records, a distance of 294.38 feet to said east line of Section 5; thence South 1° 18'30" East along said east line of Section 5 a distance of 274.00 feet to the point of beginning.

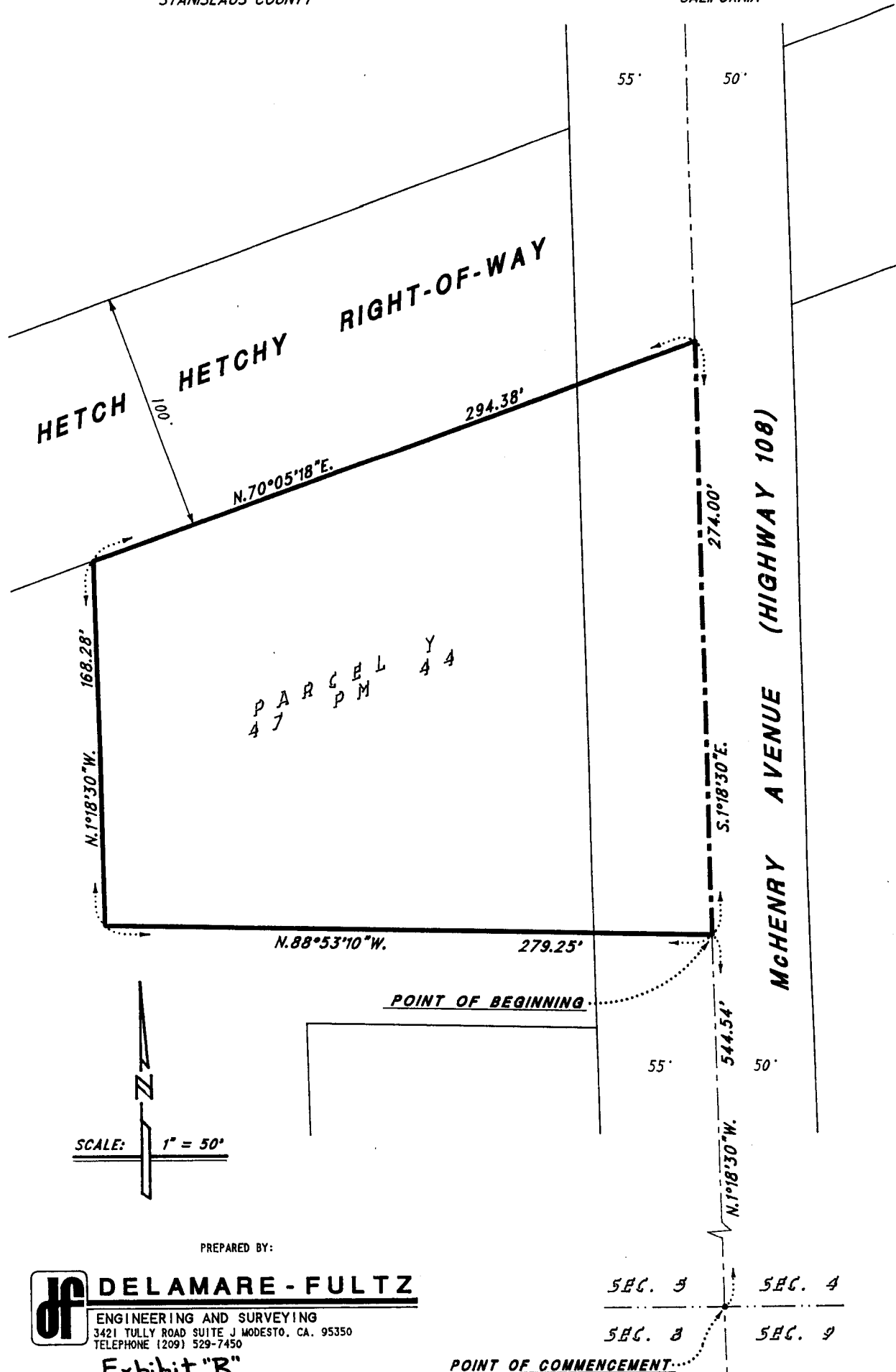
Containing 1.42 Acres



*Steven Reichmuth*

# EXHIBIT FOR ANNEXATION TO NORTH McHENRY LIGHTING DISTRICT

BEING A PORTION OF THE SOUTH HALF OF SECTION 5, T.3 S., R.9 E., M.D.B. & M.  
STANISLAUS COUNTY CALIFORNIA



**DELAMARE - FULTZ**

ENGINEERING AND SURVEYING  
3421 TULLY ROAD SUITE J MODESTO, CA. 95350  
TELEPHONE (209) 529-7450

Exhibit "B"

POINT OF COMMENCEMENT

EXHIBIT "A"

LEGAL DESCRIPTION

(North McHenry Lighting District Annexation - U.P.-95-12)

All that certain piece or parcel of land situate in and being a portion of Lot 30 of the Carver Tract as per the Official Map thereof recorded in Volume 7 of Maps at Page 45, Stanislaus County Records, lying in Section 32, Township 2 South, Range 9 East, Mount Diablo Meridian, in the County of Stanislaus, State of California and being more particularly described as follows:

COMMENCING at the southeast corner of the southwest one quarter of said Section 32, thence North 88 degrees 42'48" West along the South line of said Section 32, a distance of 662.03 feet to the centerline of Tunsen Road and the true POINT OF BEGINNING of this description; thence North 0 degrees 11'23" West along the centerline of said Tunsen Road and the Westerly line of said Lot 30, a distance of 648.57 feet; thence South 80 degrees 35'09" East, a distance of 304.78 feet; thence South 74 degrees 10'50" East, a distance of 55.08 feet; thence South 0 degrees 19'29" East, a distance of 591.68 feet to the Southerly line of said Section 32; thence North 88 degrees 42'48" West along said section line, a distance of 354.96 feet to the point of beginning.

Containing 5.06 Acres More or Less.

SUBJECT to all Easements and/or Rights of Way of Record.


  
Richard L. Skidmore  
L.S. 3580 NO. 2000  
Expires: 6/30/00



EXHIBIT "D"

NORTH McHENRY LIGHTING DISTRICT ANNEXATION USE PERMIT APP. NO. 95-12

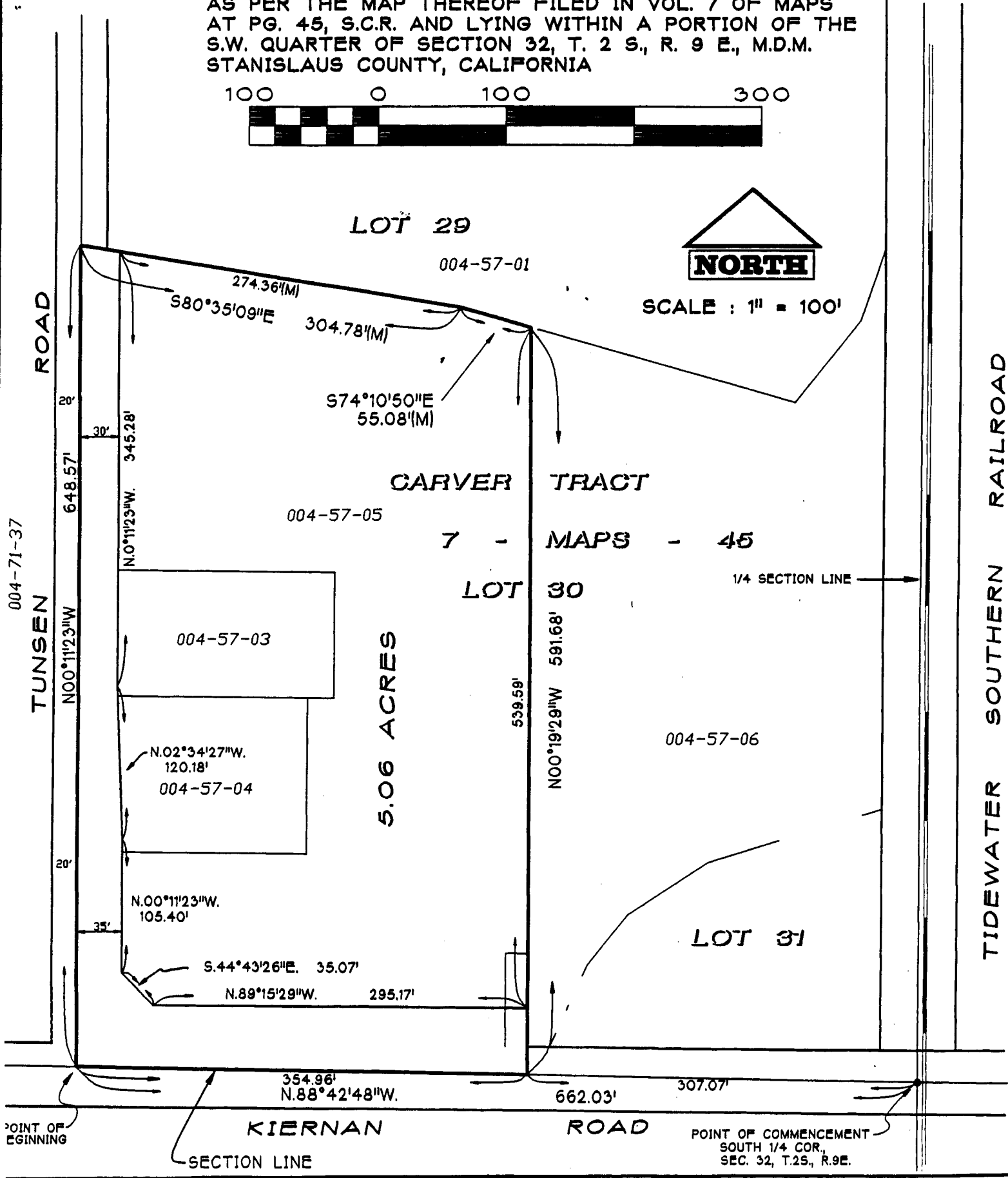
BEING A PORTION OF LOT 30 OF THE CARVER TRACT AS PER THE MAP THEREOF FILED IN VOL. 7 OF MAPS AT PG. 45, S.C.R. AND LYING WITHIN A PORTION OF THE S.W. QUARTER OF SECTION 32, T. 2 S., R. 9 E., M.D.M. STANISLAUS COUNTY, CALIFORNIA



SCALE : 1" = 100'

LOT 29

004-57-01



004-71-37

ROAD

TUNSEN

648.57'

N00°11'23"W

20'

N0°11'23"W. 345.28'

N.02°34'27"W. 120.18'

N.00°11'23"W. 105.40'

S.44°43'26"E. 35.07'  
N.89°15'29"W. 295.17'

354.96'  
N.88°42'48"W.

539.59'

N00°19'29"W 591.68'

662.03'

004-57-06

307.07'

CARVER TRACT

7 - MAPS - 45

LOT 30

1/4 SECTION LINE

LOT 31

POINT OF BEGINNING

SECTION LINE

KIERNAN

ROAD

POINT OF COMMENCEMENT SOUTH 1/4 COR. SEC. 32, T.2S., R.9E.

RAILROAD

SOUTHERN

TIDEWATER

**EXHIBIT "A"**  
**LEGAL DESCRIPTION FOR**  
**ANNEXATION TO NORTH McHENRY LIGHTING DISTRICT**

The West half of the West half of the Southeast quarter of the Southeast quarter of Section 32, Township 2 South, Range 9 East, Mount Diablo Base and Meridian, situate in the County of Stanislaus, State of California, more particularly described as follows:

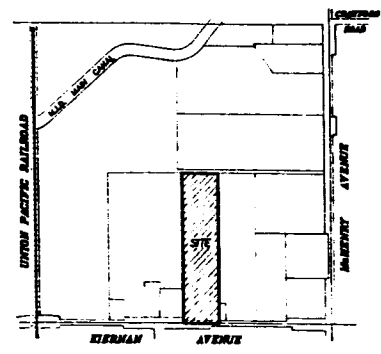
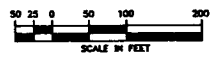
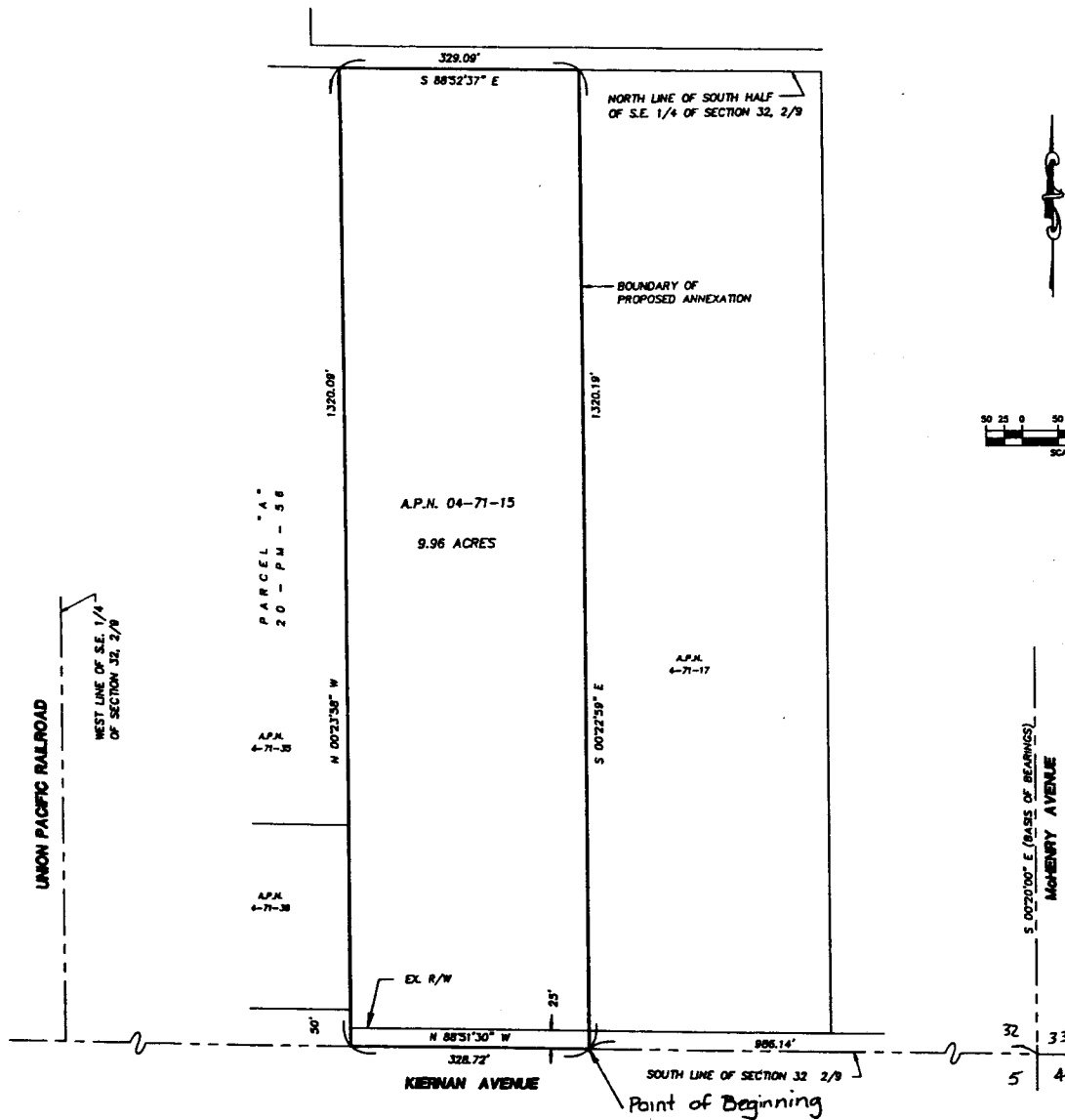
Commencing at the southeast corner of said Section 32; thence North 88°51'30" West along the south line of said Section 32, a distance of 986.14 feet to the TRUE POINT OF BEGINNING; thence continuing North 88°51'30" West along the south line of said Section 32, a distance of 328.72 feet to the southwest corner of the southeast quarter of the southeast quarter of said Section 32; thence North 00°23'58" West along the west line of the southeast quarter of the southeast quarter of said Section 32, a distance of 1320.09 feet to the northwest corner of the southeast quarter of the southeast quarter of said Section 32; thence South 88°52'37" East, a distance of 329.10 feet; thence South 00°22'59" East, a distance of 1320.19 feet to the point of beginning.

Contains 9.96 Acres, more or less

This real property description has been prepared by me, or under my direction, in conformance with the professional Land Surveyor's Act.



*Max M. Garcia*      1/7/97  
Max M. Garcia, L.S. 5122      Date  
License Expires: 06/30/99



VICINITY MAP

**BASIS OF BEARINGS**  
 THE BEARING OF SOUTH 00°20'00" EAST FOR THE EAST LINE OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 9 EAST, MOUNT Diablo BASE AND MERIDIAN, ALSO BEING THE CENTERLINE OF McHENRY AVENUE AS SHOWN IN BOOK 20 OF PARCEL MAPS AT PAGE 56, STANISLAUS COUNTY RECORDS.

NOTES

**LEW-GARCIA-DAVIS**  
 GEOGRAPHIC INFORMATION SYSTEMS  
 ENGINEERING / SURVEYING / PLANNING  
 3841 MITCHELL ROAD, SUITE D COSEL, CA 94537  
 TELEPHONE (925) 536-3366 FAX (925) 536-7376

**EXHIBIT "B"**  
**ANNEXATION TO**  
**NORTH McHENRY LIGHTING DISTRICT**

Scale: AS SHOWN	Date: 12/12/98
Drawn by: J. GARDNER	1 of 1
Checked by: [Signature]	File No. 00005

# EXHIBIT A

## MODESTO SPORTS CENTER ANNEXATION TO THE NORTH McHENRY LIGHTING DISTRICT

ALL THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 9 EAST, MOUNT DIABLO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

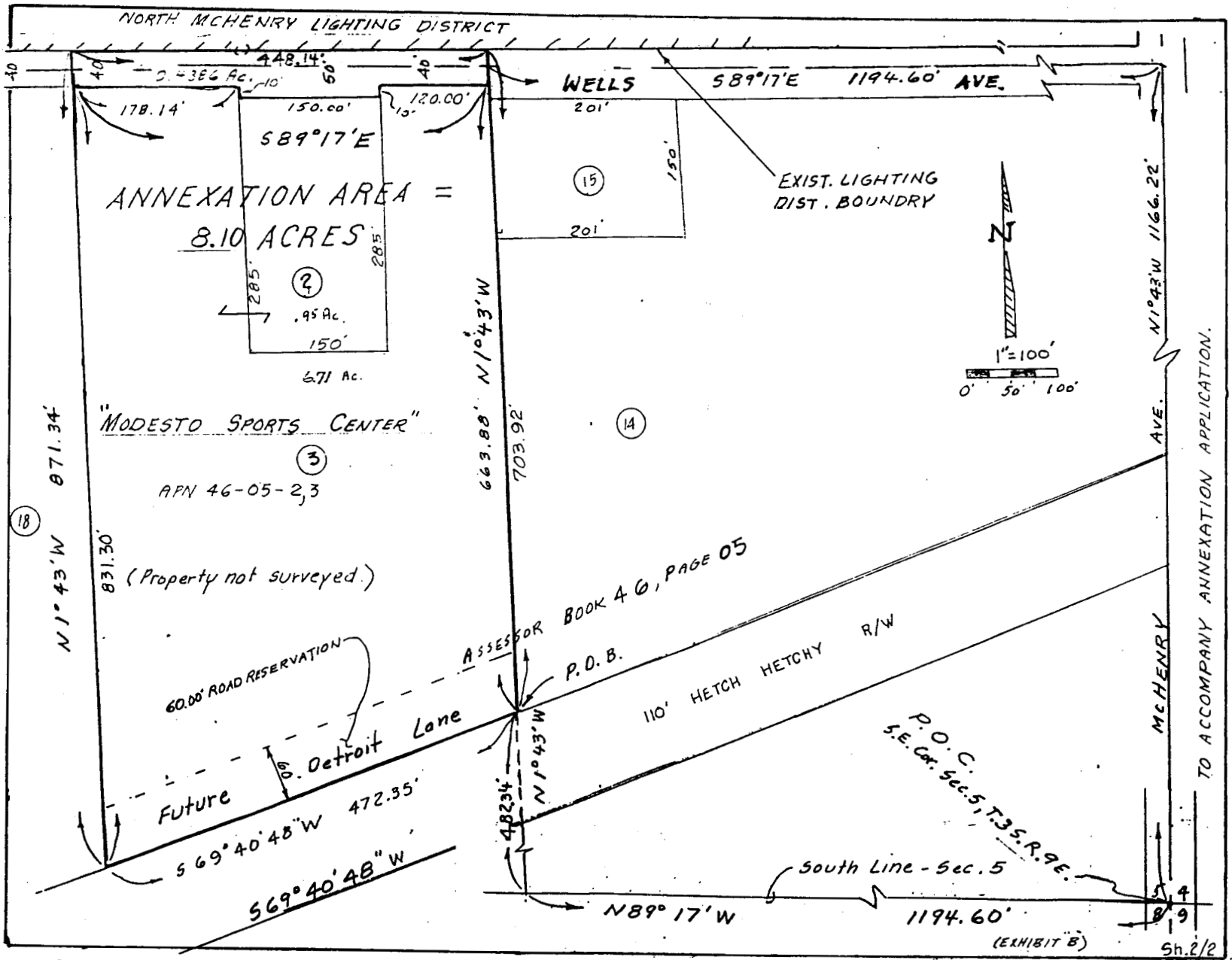
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5 AND RUNNING ALONG THE SOUTH LINE OF SAID SECTION 5, NORTH 89° 17' WEST 1,194.60 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL CONVEYED TO ROBERT H. OFFERMAN AND MARGARET OFFERMAN, HIS WIFE, BY DEED RECORDED APRIL 24, 1950, AS INSTRUMENT NO. 9120 STANISLAUS COUNTY RECORDS; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL AND RUNNING PARALLEL TO THE EASTERLY LINE OF SAID SECTION 5 NORTH 1° 43' WEST 482.34 FEET MORE OR LESS TO THE INTERSECTION OF THE NORTHERLY LINE OF THAT CERTAIN PARCEL CONVEYED TO THE CITY AND COUNTY OF SAN FRANCISCO, A MUNICIPAL CORPORATION, BY DEED FROM JEANNIE M. SWANNER, DATED AUGUST 6, 1923 AND RECORDED SEPTEMBER 6, 1923 IN VOLUME 34 OF OFFICIAL RECORDS, AT PAGE 348, STANISLAUS COUNTY RECORDS, SAID INTERSECTION BEING THE TRUE POINT OF BEGINNING; THENCE ALONG SAID NORTHERLY LINE SOUTH 69° 40' 48" WEST 472.35 FEET MORE OR LESS TO THE WEST LINE OF THAT CERTAIN EAST 12 ACRE PARCEL DESCRIBED AS PARCEL NO. 2 CONVEYED TO MORTON ROTHBARD, AS TO AN UNDIVIDED 50% INTEREST AND MATTHEW R. STEFANAC, AS TO AN UNDIVIDED 50% INTEREST ON SEPTEMBER 25, 1995, DOCUMENT NO. 95-0076546-00 STANISLAUS COUNTY RECORDS; THENCE ALONG SAID WEST LINE AND ITS NORTHERLY EXTENSION NORTH 1° 43' WEST 871.34 FEET MORE OR LESS TO THE NORTHERLY LINE OF A 40 FOOT COUNTY ROAD CONVEYED TO THE COUNTY OF STANISLAUS BY DEED RECORDED APRIL 14, 1937, IN VOLUME 616 OF OFFICIAL RECORDS, PAGE 374, AS INSTRUMENT NO. 4479, STANISLAUS COUNTY RECORDS AND KNOWN AS WELLS AVENUE; THENCE ALONG SAID NORTHERLY LINE OF WELLS AVENUE SOUTH 89° 17' EAST 448.14 FEET MORE OR LESS TO A POINT LOCATED NORTH 89° 17' WEST A DISTANCE OF 1,194.60 FEET MORE OR LESS FROM THE EASTERLY SECTION LINE OF SAID SECTION 5; THENCE RUNNING PARALLEL TO SAID EASTERLY SECTION LINE OF SECTION 5 SOUTH 1° 43' EAST 703.92 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING.

SUBJECT TO ALL EASEMENTS AND/OR RIGHTS-OF-WAY OF RECORD

CONTAINING 8.1 ACRES MORE OR LESS



1-3-97



TO ACCOMPANY ANNEXATION APPLICATION.



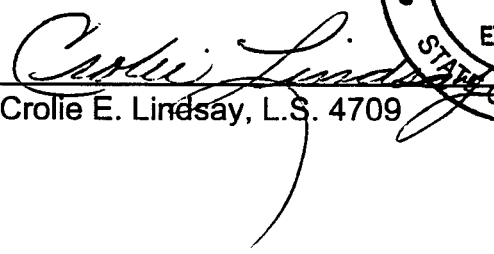
March 11, 1998  
Job No. 71175

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**LIGHTING DISTRICT**

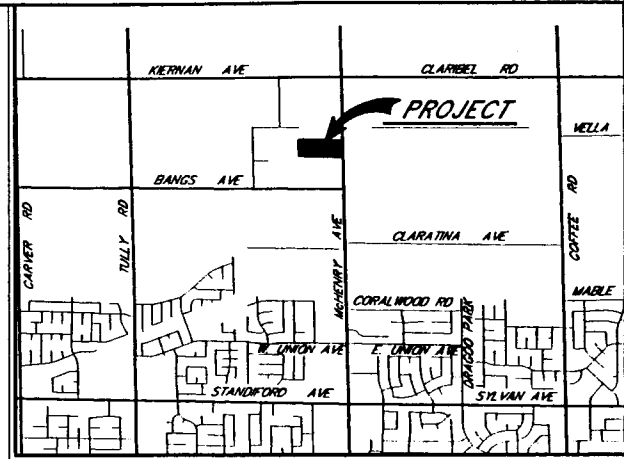
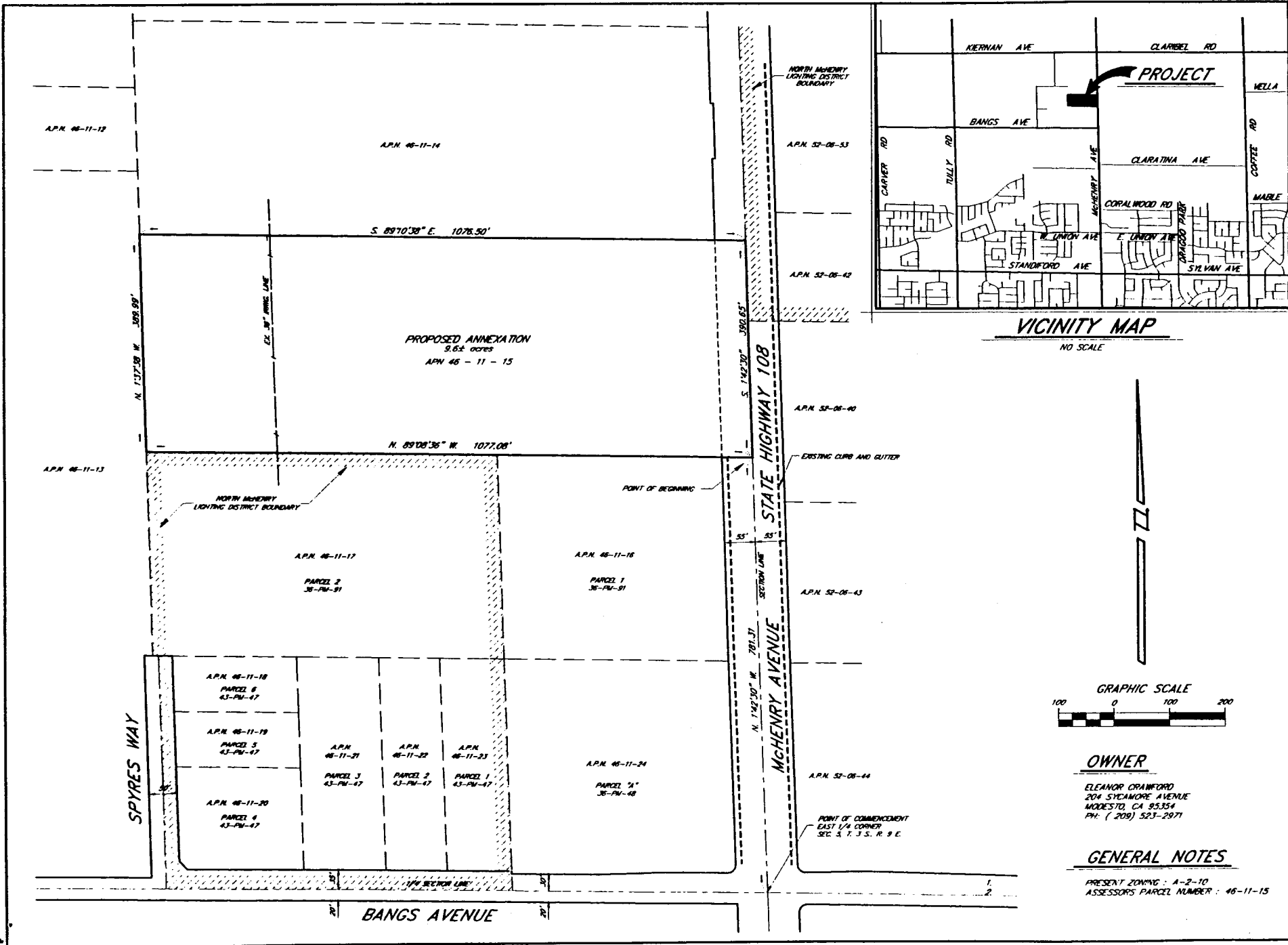
BEING a portion of the Northeast quarter of Section 5, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, more particularly described as follows:

COMMENCING at the East quarter corner of said Section 5; thence North  $01^{\circ}42'30''$  West along the easterly line of said Section 5, also being the centerline of McHenry Avenue, a distance of 781.31 feet to the POINT OF BEGINNING; thence North  $89^{\circ}08'36''$  West, a distance of 1077.08 feet; thence North  $01^{\circ}37'38''$  West a distance of 389.99 feet; thence South  $89^{\circ}10'38''$  East, a distance of 1076.50 feet, to the easterly line of said Section 5, and said centerline of McHenry Avenue; thence South  $01^{\circ}42'30''$  East along said line, a distance of 390.65 feet, to the POINT OF BEGINNING.

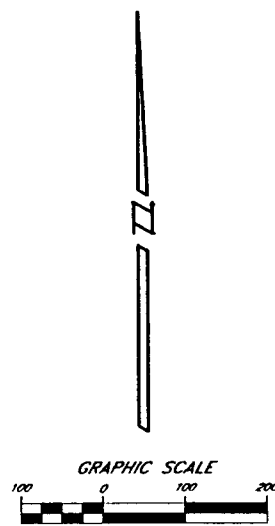
Contains 9.6 acres, more or less.

  
Crolie E. Lindsay, L.S. 4709





**VICINITY MAP**  
NO SCALE



**OWNER**

ELEANOR CRAWFORD  
204 SYCAMORE AVENUE  
MODESTO, CA 95354  
PH: (209) 523-2971

**GENERAL NOTES**

PRESENT ZONING: A-2-10  
ASSESSOR'S PARCEL NUMBER: 46-11-15

Drawn	MOLAN	Scale	1"=100'
Date	3/27/20	Job No.	71-175
Client	ROYAL GALLAGHER	Project	PROPOSED ANNEXATION
City	MODESTO	County	STANISLAUS
State	CA	Sheet	1 of 1

**EXHIBIT "B"**  
 PLAT TO ACCOMPANY DESCRIPTION FOR ANNEXATION TO  
**NORTH MCHENRY LIGHTING DISTRICT**  
 BEING A PORTION OF THE NORTHEAST QUARTER OF  
 SECTION 3, TOWNSHIP 3 SOUTH, RANGE 9 EAST, MODERN  
 STANISLAUS COUNTY CALIFORNIA

LAND PLANNING  
&  
ENGINEERING  
&  
SURVEYING  
(209) 528-4214  
FAX 528-0803

**mid-valley engineering**  
 900 H ST., STE. G, MODESTO, CALIFORNIA, 95354

May 6, 1998  
Job No. 70-718

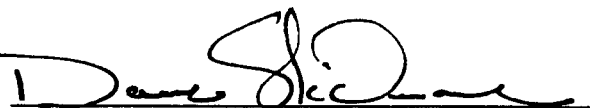
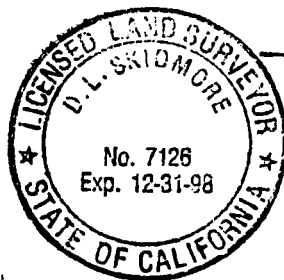
**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**LIGHTING DISTRICT**

ALL that certain piece or parcel of land situate within the County of Stanislaus, State of California, and lying within the Northeast quarter of Section 5, Township 3 South, Range 9 East, Mount Diablo Meridian, being more particularly described as follows:

BEGINNING at the Northeast corner of said Section 5; thence North 89°26'39" West along the Northerly line of said Section 5, a distance of 1074.04 feet; thence South 01°37'38" East, a distance of 384.65 feet; thence South 89°24'25" East, a distance of 1074.55 feet to the Easterly line of said Section 5, also being the centerline of McHenry Avenue; thence North 01°41'52" West along the Easterly line of last said Section 5, a distance of 385.37 feet to the POINT OF BEGINNING.

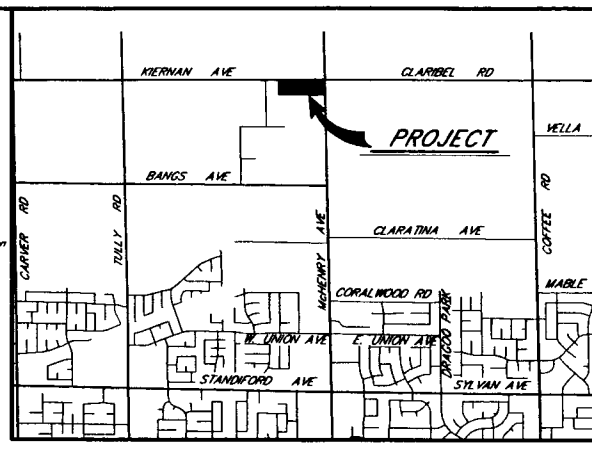
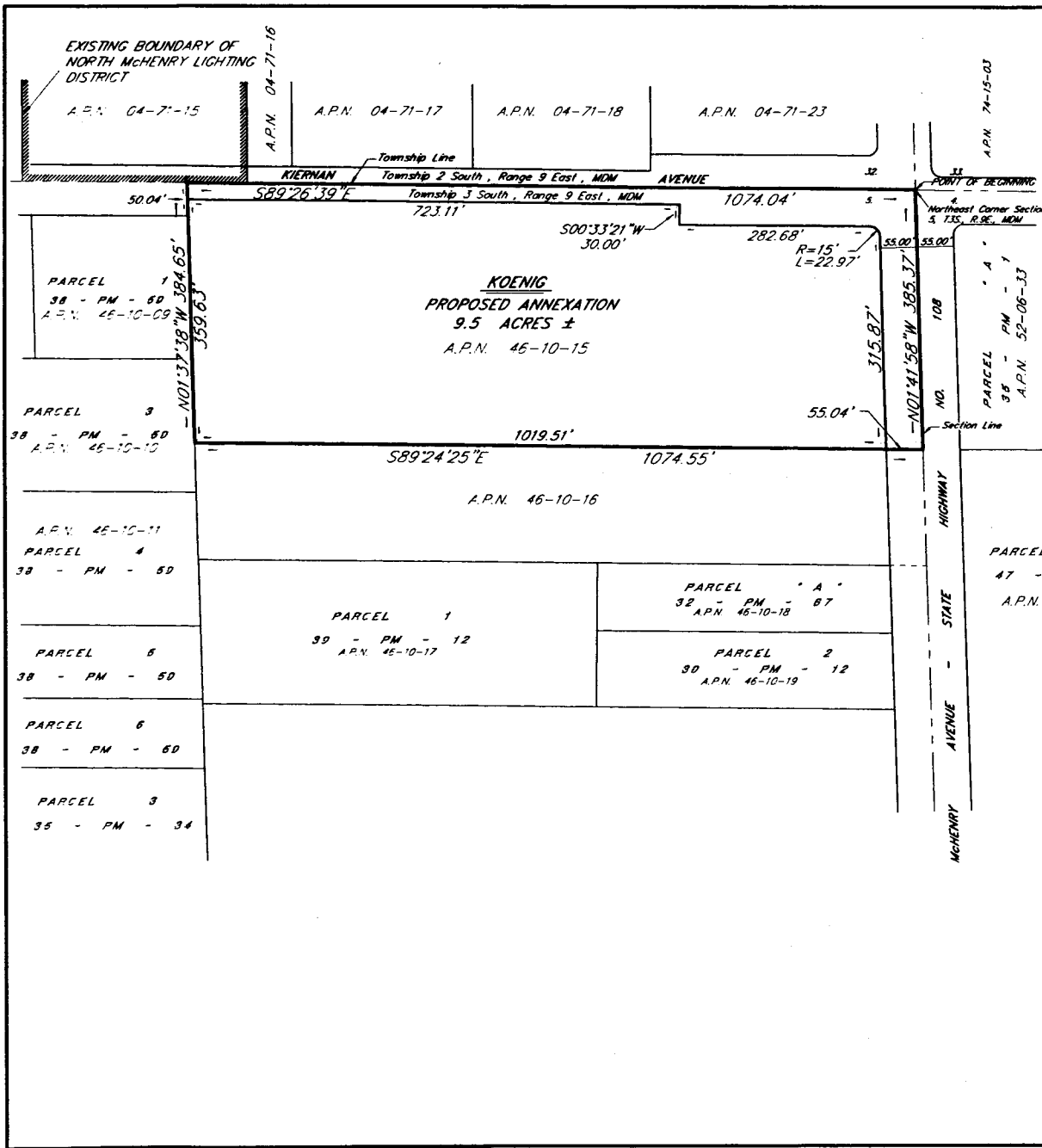
SUBJECT TO all easements and/or rights-of-way of record.

Containing 9.5 Acres, more or less.

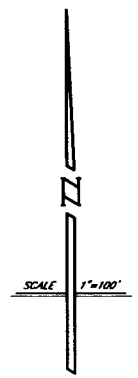


Dave Skidmore, L.S. 7126  
License Expires 12/31/98





VICINITY MAP  
NO SCALE



GRAPHIC SCALE  
1"=100'

**OWNER**  
WALTER KOENIG  
P.O. BOX 1041  
WOODBIDGE, CA. 95258

Drawn	D.L.S.	ROY A. GALLI	1
Date	MAY 6 88	RODRIGUEZ	1
Scale	1" = 100'	RODRIGUEZ	1
Job No.	70-718	RODRIGUEZ	1
Checked		RODRIGUEZ	1
Drawn		RODRIGUEZ	1

EXHIBIT "B"  
PLAT TO ACCOMPANY DESCRIPTION FOR ANNEXATION TO  
NORTH MCHENRY LIGHTING DISTRICT  
BEING A PORTION OF THE NORTHWEST QUARTER OF  
SECTION 5, TOWNSHIP 3 SOUTH, RANGE 9 EAST, M.D.M.  
STANISLAUS COUNTY, CALIFORNIA

LAND PLANNING  
ENGINEERING  
SURVEYING  
(209) 528-4214  
FAX 528-0803  
900 H. ST. STE. G. MODESTO, CALIFORNIA, 95354

## **EXHIBIT "A"**

### **Pentecostal Annexation to North McHenry Lighting District**

#### **Area No. 1**

A portion of the north half of the southeast quarter of Section 32, Township 2 South, Range 9 East, Mount Diablo Base and Meridian, situate in the County of Stanislaus, State of California, more particularly described as follows:

Beginning at the southeast corner of said north half, said point being on the centerline of McHenry Avenue;

- 1) thence North 88°52'37" West along the south line of said north half, a distance of 2602.75 feet to the east line of Union Pacific Railroad (formerly Tidewater Southern Railroad), said east line being 30.00 feet east of and parallel with the west line of said southeast quarter of Section 32;
  - 2) thence North 00°27'58" West along said east line of Union Pacific Railroad, a distance of 379.47 feet to the southerly line of the 100.00 foot wide Modesto Irrigation District Main Canal and the beginning of a non-tangent curve concave to the northwest, having a radius of 341.50 feet, to which a radial line bears South 19°21'30" East;
- thence along the southerly line of said main canal the following five (5) courses (courses 3 through 7, inclusive):
- 3) northeasterly along the arc of said curve, through a central angle of 22°21'30", a distance of 133.26 feet;
  - 4) North 48°17'00" East, 801.92 feet to the beginning of a curve concave to the southeast, having a radius of 166.50 feet;
  - 5) easterly along said curve, through a central angle of 50°22'00", a distance of 146.36 feet;
  - 6) South 81°21'00" East, 332.77 feet to the beginning of a curve concave to the north, having a radius of 316.40 feet;
  - 7) easterly along said curve, through a central angle of 11°56'29", a distance of 65.94 feet;
  - 8) thence South 00°20'00" East, a distance of 962.00 feet;
  - 9) thence South 88°52'37" East along a line 30.00 feet north of and parallel with said south line of said north half, a distance of 1356.61 feet to said west line of McHenry Avenue;
  - 10) thence South 00°20'00" East along said west line, a distance of 30.01 feet to the point of beginning.

Contains 24.34 acres, more or less.

**Area No. 2**

A portion of the west half of the southwest quarter of the southeast quarter of Section 32, Township 2 South, Range 9 East, Mount Diablo Base and Meridian, situate in the County of Stanislaus, State of California, more particularly described as follows:

Beginning at the southeast corner of said west half;

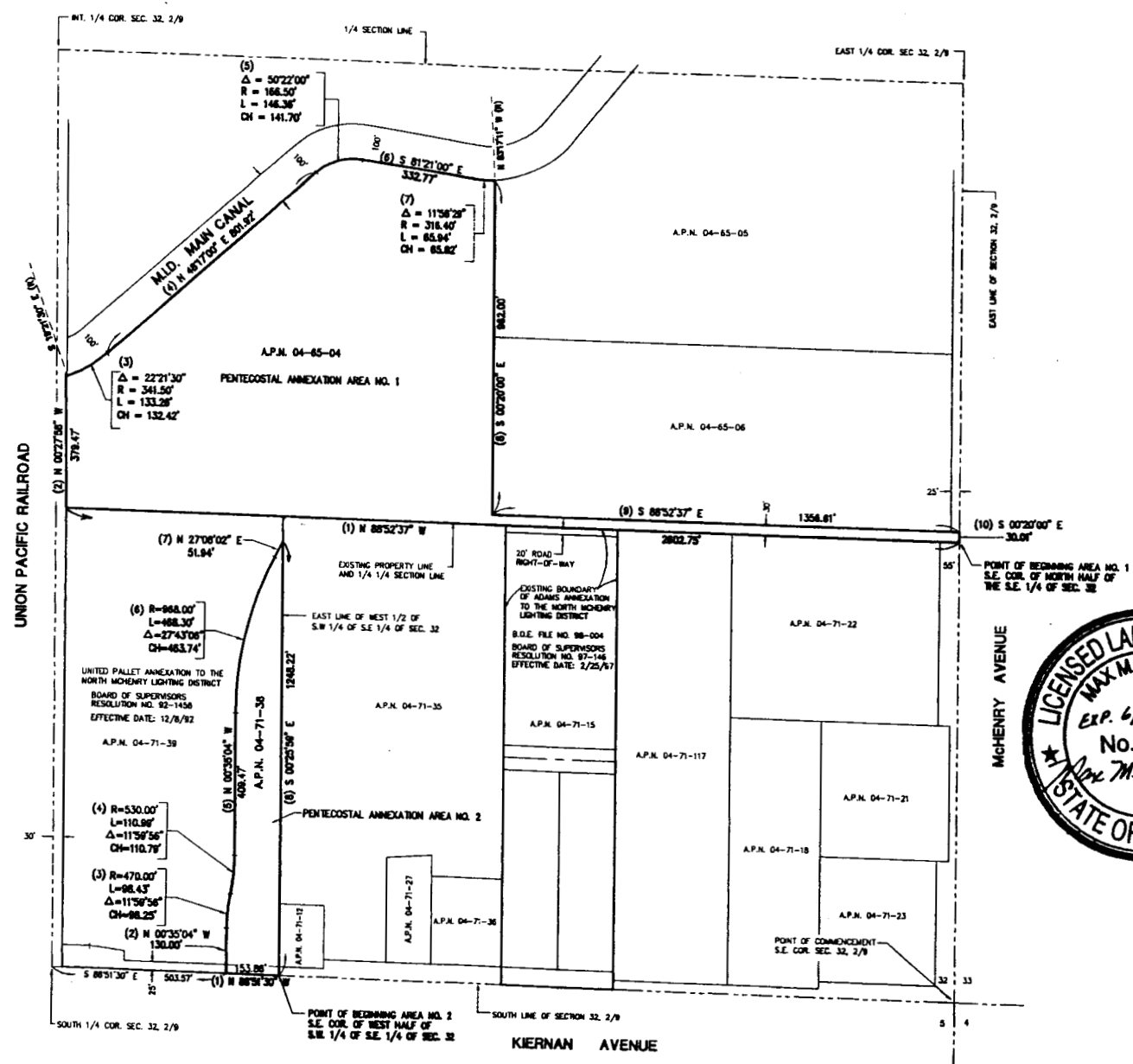
- 1) thence North 88°51'30" West along the south line of said west half, a distance of 153.86 feet;
- 2) thence North 00°35'04" West, a distance of 130.00 feet to the beginning of a curve concave to the east, having a radius of 470.00 feet;
- 3) thence northerly along the arc of said curve, through a central angle of 11°59'56", a distance of 98.43 feet to the beginning of a reverse curve concave to the west, having a radius of 530.00 feet;
- 4) thence northerly along the arc of said curve, through a central angle of 11°59'56", a distance of 110.99 feet;
- 5) thence North 00°35'04" West, a distance of 409.47 feet to the beginning of a curve concave to the east having a radius of 968.00 feet;
- 6) thence northerly along the arc of said curve, through a central angle of 27°43'06", a distance of 468.30 feet;
- 7) thence North 27°08'02" East, a distance of 51.94 feet to the east line of said west half;
- 8) thence South 00°25'59" East, a distance of 1248.22 feet to the point of beginning.

Contains 3.44 acres, more or less.

The real property described has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

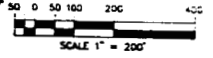
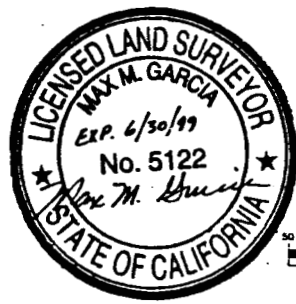


*Max M. Garcia* 12/9/98  
Max M. Garcia, L.S. 5122      Date  
License Expires: 06/30/99



VICINITY MAP

LEGEND  
 (S) COURSE NUMBER  
 (R) RADIAL BEARING



**GARCIA-DAVIS-RINGLER ENGINEERING**  
 ENGINEERING/SURVEYING/PLANNING  
 3844 MITCHELL ROAD, SUITE B GARDEN GATE, CA 92307  
 TELEPHONE: (951) 838-3380 FAX: (951) 838-7370

**EXHIBIT "B"**  
**Pentecostal Annexation to North McHenry Lighting District**  
 County of Shasta, State of California

Scale: 1" = 200'	Date: 12/7/98
Proj. No. 808-ANNEX	Sheet: 1 of 1
Drawn: Srt	Checked: MC, DB
Checked: MC, DB	Job No. 8609+

UNION PACIFIC RAILROAD

MCHENRY AVENUE

KIERNAN AVENUE

## EXHIBIT "A"

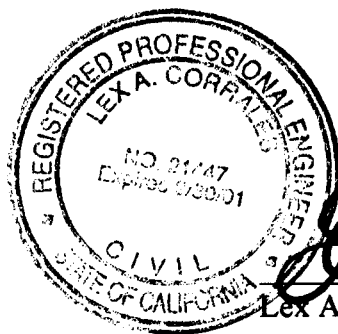
### MISTLIN HONDA ANNEXATION TO THE NORTH MCHENRY LIGHTING DISTRICT

Commencing at the northwesterly corner of Section 4, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, Stanislaus County, California; thence South  $01^{\circ} 14' 29''$  East 385.17 feet along the westerly section line of said Section 4, said westerly section line also being the centerline of the one hundred ten foot (110') right-of-way for McHenry Avenue to a point, said point also being the TRUE POINT OF BEGINNING; thence South  $89^{\circ} 28' 09''$  East 55.03 feet along the westerly projection of the northerly line of Parcel "1" as shown on Parcel Map filed for record in Book of Parcel Maps, Book 47, Page 68, Stanislaus County Records, to the northwesterly corner of said Parcel "1"; thence along the boundary of said Parcel "1" the following three (3) courses:

- 1) South  $89^{\circ} 28' 09''$  East 400.02 feet;
- 2) South  $01^{\circ} 14' 29''$  East 563.32 feet and
- 3) North  $89^{\circ} 27' 51''$  West 400.02 feet to the southwestly corner of said Parcel "1";

thence continuing North  $89^{\circ} 27' 51''$  West 55.03 feet along the westerly projection of the southerly line of said Parcel "1" to a point on said westerly line of Section 4; thence North  $01^{\circ} 14' 29''$  West 563.28 feet along said westerly line of Section 4 to the point of beginning.

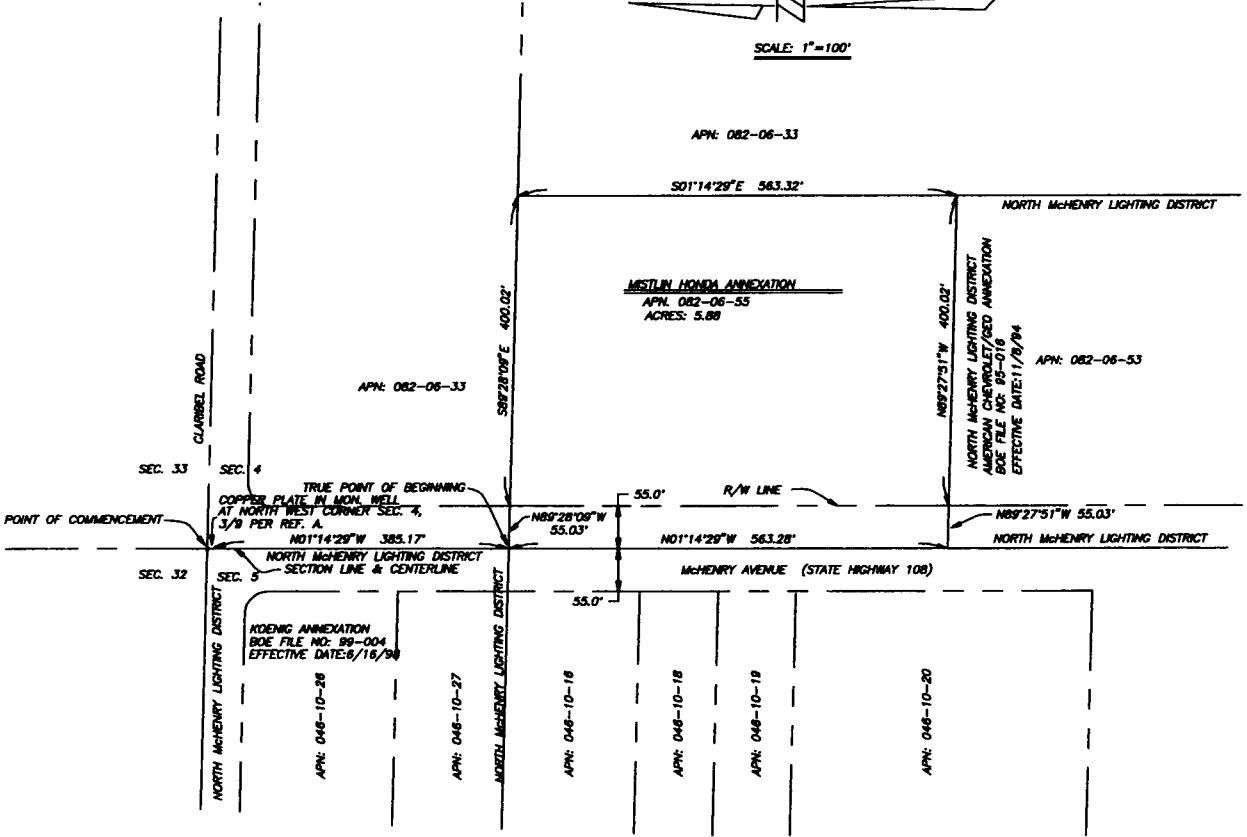
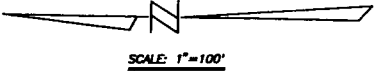
Containing 5.88 acres, more or less.



*Lex A. Corrales*  
Lex A. Corrales, P.E. #21,447

#98436\002  
2/24/99

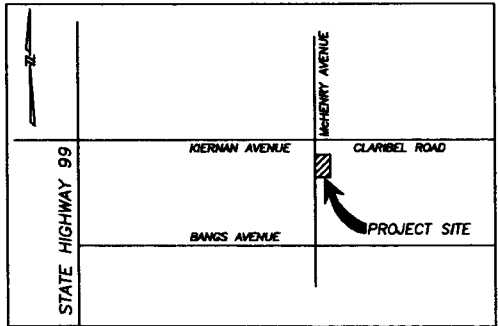
**MISTLIN HONDA  
 ANNEXATION TO THE NORTH  
 McHENRY LIGHTING DISTRICT**



**BASIS OF BEARINGS**

THE WESTERLY LINE OF SECTION 4, T.3.S. R.9E. M.D.B.M. BEARS NORTH $14^{\circ}29'$  WEST IS SHOWN ON PARCEL MAP, FILED FOR RECORD ON BOOK 47, PAGE 68, STANISLAUS COUNTY RECORDS.

OWNERS: ANTHONY A. MISTLIN AND JOAN MISTLIN



**VICINITY MAP**  
 N.T.S.

**EXHIBIT 'B'**

**EXHIBIT "A"**  
**BERBERIAN TRUST ANNEXATION**  
**TO THE**  
**NORTH MCHENRY LIGHTING DISTRICT**

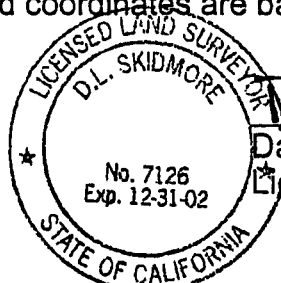
ALL that certain real property situate in the County of Stanislaus, State of California and lying within a portion of the Southeast Quarter of Section 5, Township 3 South, Range 9 East, Mount Diablo Meridian, being more particularly described as follows:

BEGINNING at the East Quarter corner of the above mentioned Section 5, with said point lying at the centerline - centerline intersection of Bangs Avenue and McHenry Avenue - State Highway No. 108 and with said point having coordinate values of Northing = 2079028.536, Easting = 6418566.323; thence 1) South  $01^{\circ}13'59''$  East along the East line of said section and along the centerline of McHenry Avenue - State Highway No. 108, a distance of 245.03 feet to a point on the Easterly extension of the Northerly right-of-way line of Modesto Irrigation District Lateral No. 6; thence 2) North  $89^{\circ}15'02''$  West along last said line, a distance of 129.79 feet to the beginning of a curve concave to the Southeast, having a radius of 396.67 feet; thence 3) Southwesterly 233.73 feet along the arc of said curve and along last said right-of-way line, through a central angle of  $33^{\circ}45'38''$ ; thence continuing along last said right-of-way line 4) South  $56^{\circ}59'20''$  West, a distance of 301.62 feet to the Southeast corner of the property described in the Deed to the City of Modesto, recorded May 27, 1988 as Instrument No. 034177, Stanislaus County Records; thence leaving last said right-of-way line and proceeding 5) North  $01^{\circ}29'00''$  West along the East line of said City of Modesto property, a distance of 30.00 feet to the Northeast corner thereof; thence 6) South  $88^{\circ}31'00''$  West along the North line of said City of Modesto property, a distance of 30.00 feet to the Northwest corner thereof; thence 7) South  $01^{\circ}29'00''$  East along the West line of said City of Modesto property, a distance of 48.40 feet to the Southwest corner thereof, with said point lying on the above mentioned Northerly right-of-way line of Modesto Irrigation District Lateral No. 6; thence 8) South  $56^{\circ}59'20''$  West along last said right-of-way line, a distance of 373.95 feet to an angle point; thence continuing along last said line 9) South  $65^{\circ}54'17''$  West, a distance of 1562.18 feet; thence leaving last said line and proceeding 10) North  $01^{\circ}11'47''$  East, a distance of 212.81 feet; thence 11) North  $88^{\circ}48'13''$  West, a distance of 215.46 feet to a point on the East line of the 60.00 foot wide right-of-way for the Union Pacific Railroad; thence 12) North  $01^{\circ}10'33''$  West along last said right-of-way line and along a line 30.00 feet Easterly of and parallel with the West line of the Southeast Quarter of said Section 5, a distance of 1173.64 feet to a point on the North line of said Southeast Quarter, and with said point lying on the above mentioned centerline of Bangs Avenue; thence 13) South  $88^{\circ}42'54''$  East along last said line, a distance of 2603.60 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO all easements and/or rights-of-way of record.

Containing 49.49 acres, more or less.

Bearings, distances and coordinates are based on California Coordinate System, NAD83, Zone 3.



  
David L. Skidmore, L.S. 7126  
License Expires 12/31/02

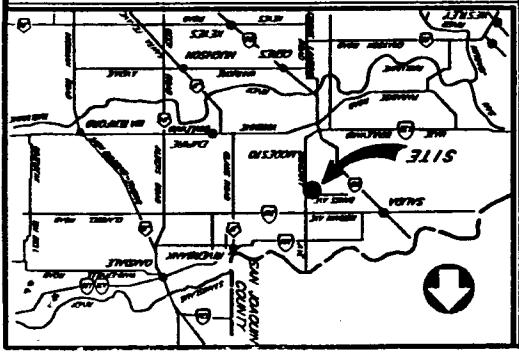
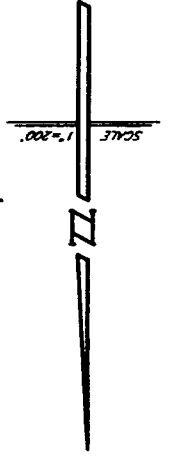
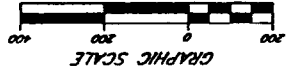
**BASIS OF BEARINGS :**  
 The bearing of South 00°14'43" East between GPS Monument 2824 and 2724, as shown in Book 23 of Survey of Page 51, Stanislaus County Records, was used as the basis for all bearings shown hereon.

**EXHIBIT "B"**  
**BERBERIAN TRUST ANNEXATION**  
**TO**  
**NORTH MCHENRY LIGHTING DISTRICT**  
**BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 9 EAST, MOUNT DIABLO MERIDIAN, STANISLAUS COUNTY, CALIFORNIA**

LINE TABLE	
LINE	LENGTH
1	245.03
2	128.29
3	301.62
4	301.00
5	301.00
6	48.00
7	132.85
8	1562.18
9	585.5172
10	212.81
11	1123.64
12	2003.80
13	584.2541

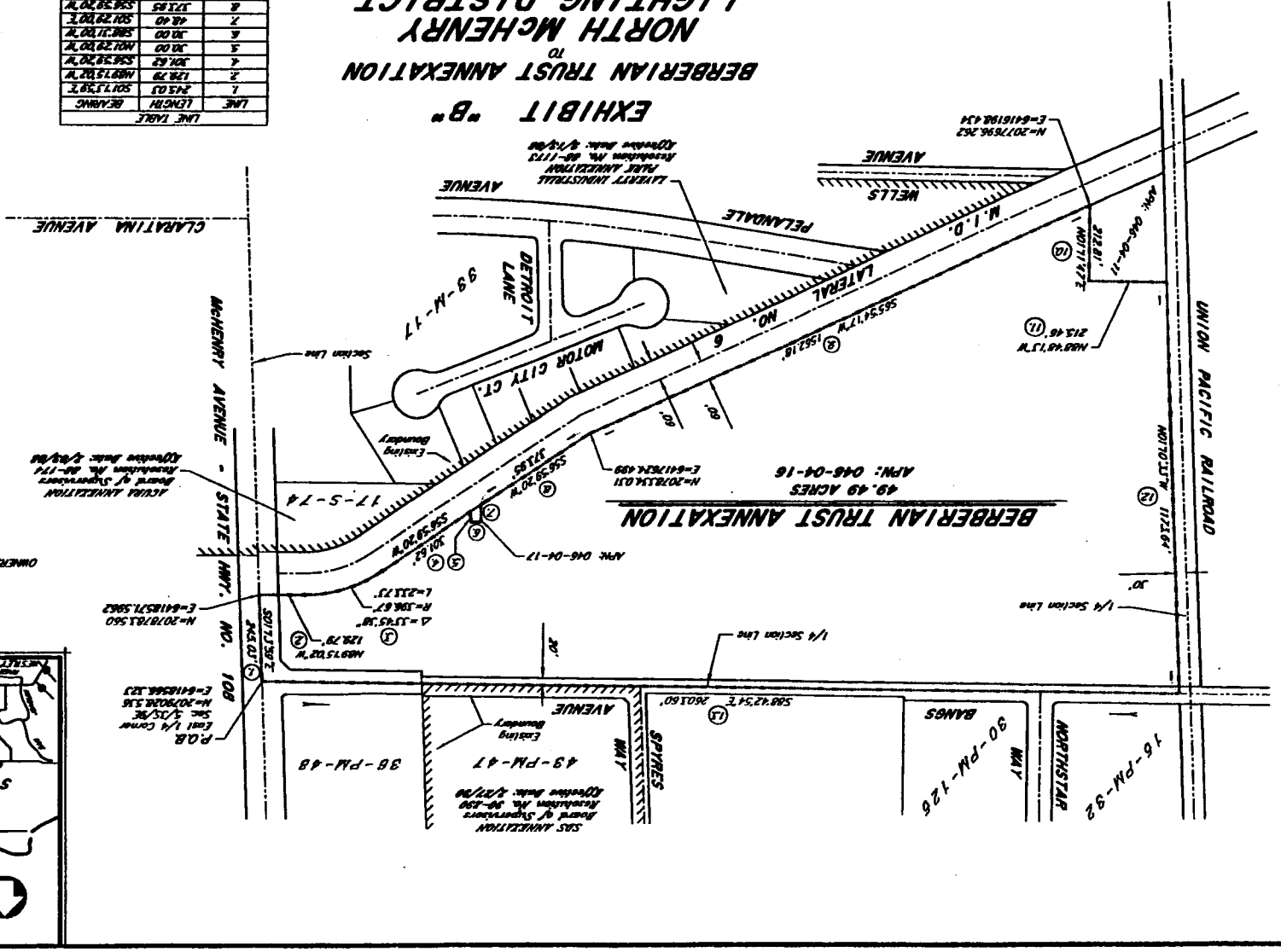
  

CURVE DATA		
CURVE DATA	RADIUS	LENGTH
1	1175.78	233.73
2	1175.78	233.73



**OWNERS:** Dianne Berberian-Carson & Arnold Carson - Trustees of The Hoy and Leola Berberian Family Trust  
 3501 CORTEZ ROAD, SUITE 2  
 MOKSING, CA 95355

**ALTA ANNEXATION**  
 Board of Supervisors  
 Resolution No. 88-174  
 Approve date: 2/28/88





**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

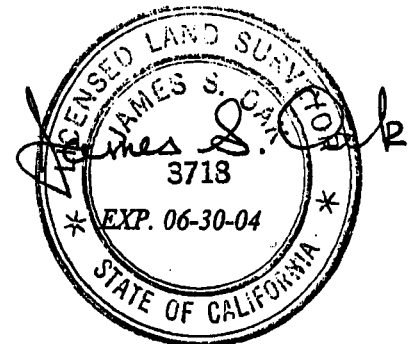
**SMITH TRUST ANNEXATION  
TO THE  
NORTH McHENRY LIGHTING DISTRICT**

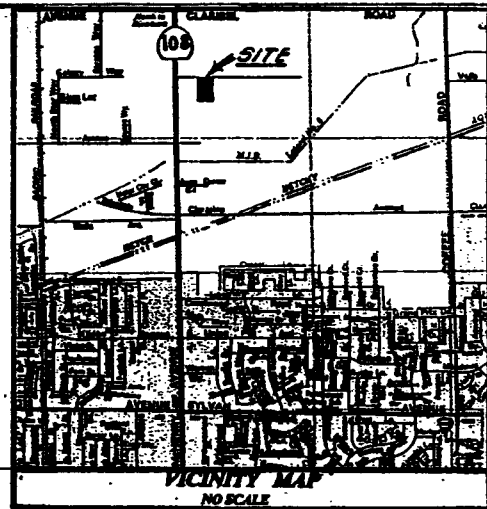
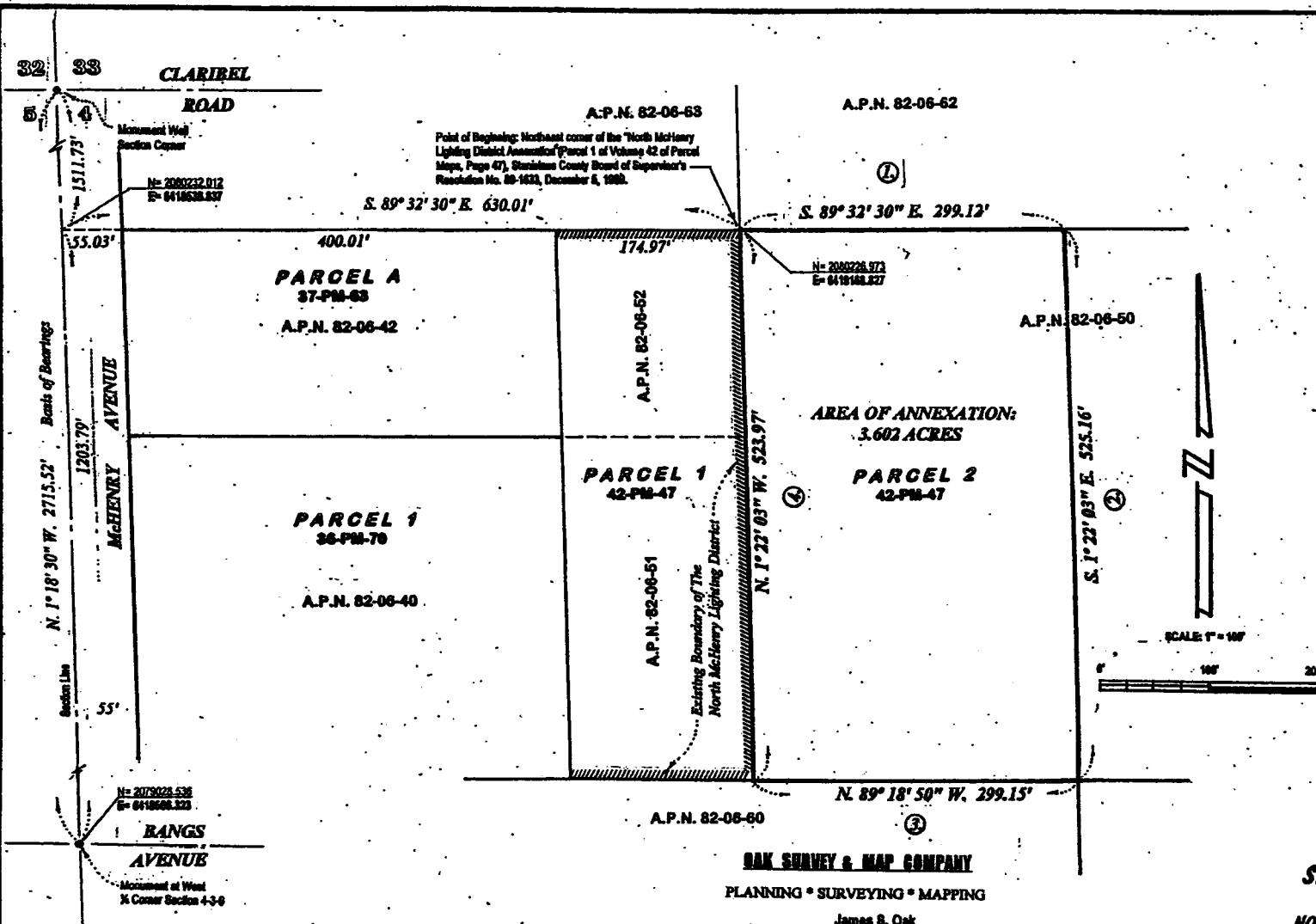
All that certain real property situate in a portion of Parcel 2. of Parcel Map recorded in Book 42 of Parcel Maps, at Page 47, Stanislaus County Records, being in a portion of the Northwest  $\frac{1}{4}$  of Section 4, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, more particularly described as follows:

**COMMENCING** at the monument at the intersection of the center lines of McHenry Avenue and Bangs Avenue, said intersection being at the West Quarter corner of said Section 4, and with said point having coordinate values of Northing = 2079028.536 and Easting = 6418566.323; thence North  $1^{\circ} 18' 30''$  West 1203.79 feet along the West line of said Section 4; thence leaving said West line South  $89^{\circ} 32' 30''$  East 630.01 feet to the Northeast corner of the existing North McHenry Lighting District Annexation, (Parcel 1 of Volume 42 of Parcel Maps, Page 47), and the **POINT OF BEGINNING** with coordinates North 2080226.973 and East 6419168.827; thence continuing (1) South  $89^{\circ} 32' 30''$  East 299.12 feet; thence (2) South  $1^{\circ} 22' 03''$  East 525.16 feet; thence (3) North  $89^{\circ} 18' 50''$  West 299.15 feet; to the Southeast corner of said existing North McHenry Lighting District Annexation; thence (4) North  $1^{\circ} 22' 03''$  West 523.97 feet along the East line of said existing North McHenry Lighting District Annexation to the point of beginning.

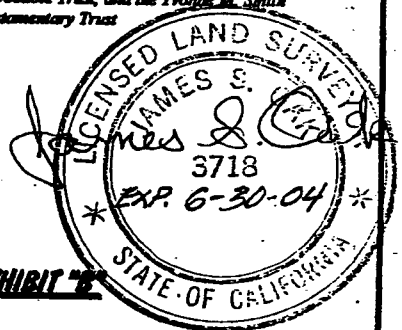
**CONTAINING:** 3.602 Acres, more or less.

Bearings, distances and coordinates are based on California Coordinate System, NAD83.





**OWNER:**  
James W. Smith, Trustee of the J. W. Smith Revocable Trust, and the Yvonne M. Smith Testamentary Trust



**EXHIBIT "B"**

**SMITH TRUST ANNEXATION**  
 TO  
**NORTH McHENRY LIGHTING DISTRICT**  
 BEING A PORTION OF PARCEL 2, VOLUME 42 OF PARCEL MAPS,  
 PAGE 47, STANISLAUS COUNTY RECORDS, IN A PORTION OF THE  
 NORTHWEST ¼ OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 9 EAST,  
 MOUNT DIABLO BASE & MERIDIAN, STANISLAUS COUNTY, CALIFORNIA  
 MARCH, 2001  
 SCALE: 1" = 100'

**BASIS OF BEARINGS:**  
 The bearing of N. 1° 18' 30" W. between found  
 Monuments along the West line of Section 4,  
 Township 3 South, Range 9 East, between the  
 West ¼ Section corner at Rangs Avenue and the  
 Northwest Section corner at Claribel Road.

**OAK SURVEY & MAP COMPANY**  
 PLANNING \* SURVEYING \* MAPPING

James S. Oak  
 Licensed Surveyor 8 3718  
 P.O. Box 4081  
 Modesto, California 95352  
 Direct: 209.802.2955  
 Fax: 209.526.5590  
 E-mail: jamesoak@msm.com



JOB NO. 00-21

EXHIBIT A

BANGS INDUSTRIAL PARK ANNEXATION  
TO THE  
NORTH MCHENRY LIGHTING DISTRICT

All that certain real property situated in the County of Stanislaus, State of California and lying within a portion of the Northeast Quarter of Section 5, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; being more particularly described as follows:

Roy A. Galli  
R.C.E. 16,024

Dennis E. Wilson  
Planning Consultant

P.O. Box 1448  
Modesto, California  
95353

phone 209.491.7620  
fax 209.491.7628

Beginning at a point marking the southwest corner of Parcel B, as said Parcel B is shown on the map filed for record in Book 36 of Parcel Maps, at Page 48, Stanislaus County Records, said point is also the centerline – centerline intersection between Bangs Avenue and Spyres Way; thence in a westerly direction, along the centerline of said Bangs Avenue North 89 degrees 10 minutes 26 seconds West, a distance of 765.38 feet to a point marking the intersection between the centerline of Bangs Avenue with the southerly prolongation of the easterly line of Parcel 3 as said Parcel 3 is shown on the map filed for record in Book 20 of Parcel Maps at Page 43, Stanislaus County Records; thence northerly along the prolongation of said easterly line of said Parcel 3, and along the easterly line of said Parcel 3, and along the northerly prolongation of said easterly line of said Parcel 3 to the southeasterly corner of Parcel 2 as said Parcel 2 is shown on the map filed for record in Book 20 of Parcel Maps at Page 43, Stanislaus County Records; thence continue in a northerly direction along the easterly line of said Parcel 2, North 1 degree 38 minutes 32 seconds West, a distance of 1281.80 feet to the northeast corner of said Parcel 2, said corner also being a point in the southerly line of Parcel 2 as said Parcel 2 is shown on map filed for record in Book 45 of Parcel Maps at Page 87, Stanislaus County Records; thence in an easterly direction along the southerly line of said Parcel 2 and along the southerly lines of Parcel 3 and Parcel 1 as said Parcels 3 and 1 are as shown on map filed for record in Book 45 of Parcel Maps at Page 87, and along the southerly lines of Parcels 8 and 7 as said Parcels 8 and 7 are shown on the map filed for record in Book 35 of Parcel Maps at Page 34, Stanislaus County Records, South 89 degrees 25

146199 000-6 01

minutes 39 seconds East, a distance of 765.57 feet to the southeast corner of said Lot 7; thence in a southerly direction along the northerly prolongation of the westerly line of Parcel 2 as said Parcel 2 is shown on the map filed for record in Book 48 of Parcel Maps at Page 78, Stanislaus County Records; and continuing southerly along the westerly line of said Parcel 2, and along the westerly line of Parcel 2 as said Parcel 2 is shown on map filed for record in Book 36 of Parcel Maps at Page 91, Stanislaus County Records, and along the westerly line of Parcel B as said Parcel B is shown on map filed for record in Book 36 of Parcel Maps at Page 48, Stanislaus County Records, South 1 degree 37 minutes 39 seconds East, a distance of 1285.18 feet to the south west corner of said Parcel B and the point of beginning of this description.

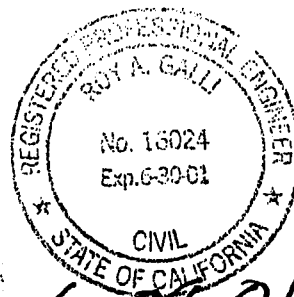
SUBJECT TO: All easements and/or rights-of-way of record.

Containing: 22.536 acres of land more or less.



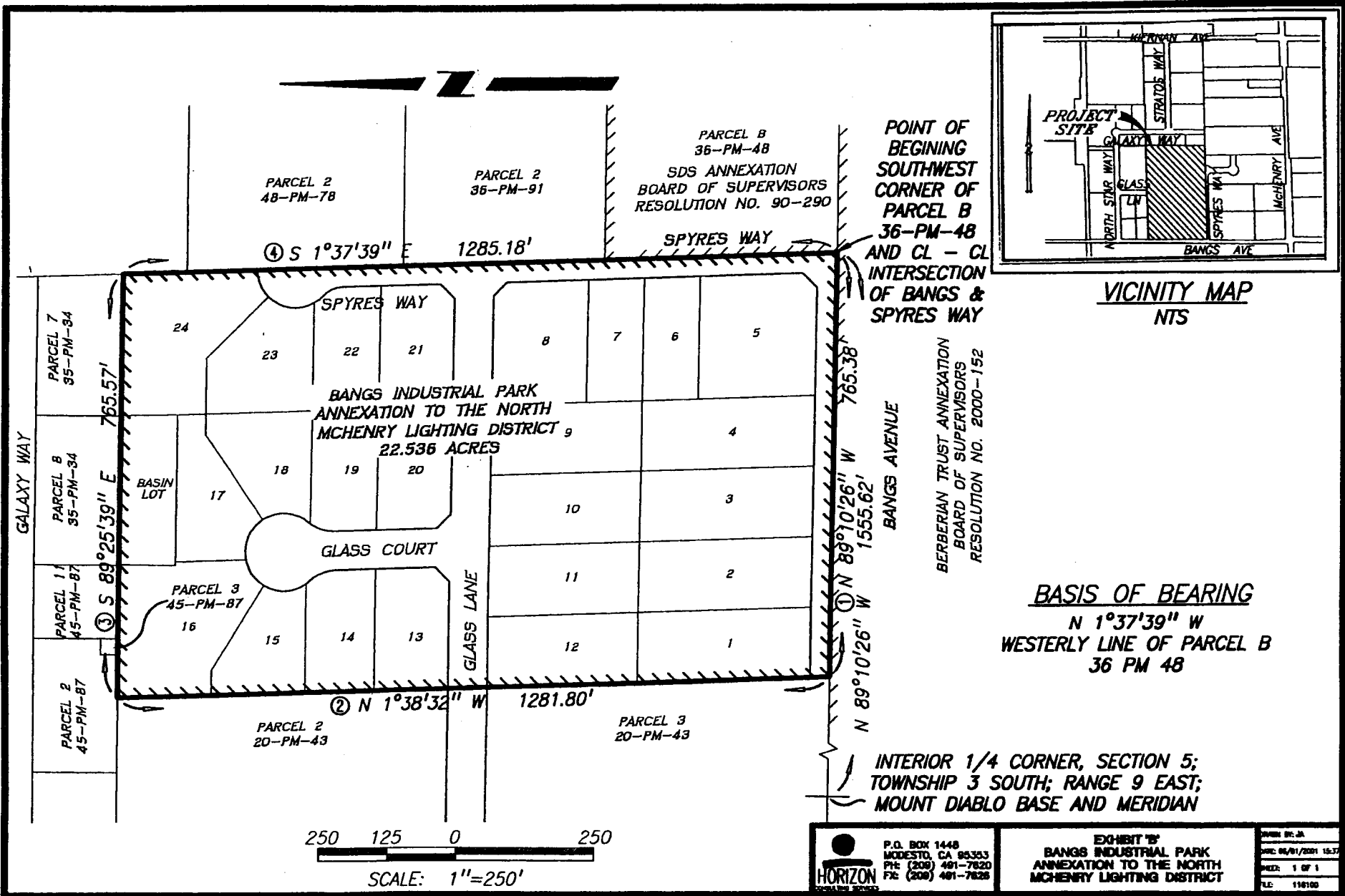
Roy A. Galli, R.C.E. 16024

April 6, 2001



6-09-01

1461110 6-9-01



10 9-558 88 19 01

**EXHIBIT "A"**

**B & D Industrial Park Annexation to North McHenry Lighting District**

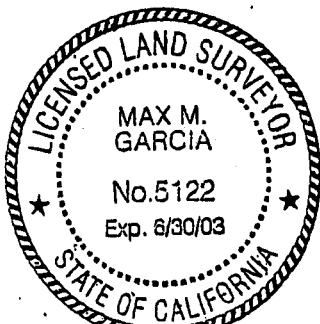
Parcel 2 as shown on the parcel map recorded in Book 35 of Parcel Maps, Page 91, Stanislaus County Records, lying in Section 32, Township 2 South, Range 9 East, Mount Diablo Base and Meridian, situate in the County of Stanislaus, State of California, described as follows:

Commencing at the southeast corner of said Section 32, said point having California State Plane Coordinates of Northing: 2081743.666, Easting: 6418507.365, based upon the North American Datum of 1983;

1. thence North 88°58'48" West along the south line of said Section 32, a distance of 1314.86 feet to the southwest corner of "Adams Annexation to the North McHenry Lighting District;
2. thence North 00°31'16" West along the west line of said Adams Annexation, a distance of 300.26 feet to the northeast corner of Parcel 1 of said parcel map and the TRUE POINT OF BEGINNING;
3. thence North 88°58'48" West, a distance of 205.26 feet;
4. thence North 01°41'57" East, a distance of 60.98 feet;
5. thence South 86°39'12" West, a distance of 142.97 feet;
6. thence South 00°39'23" East, a distance of 300.38 feet to the north line of Kieman Avenue, said north line being 50.00 feet north of and parallel with said south line of Section 32;
7. thence North 88°58'48" West along said north line of Kieman Avenue, a distance of 182.37 feet;
8. thence North 00°33'17" West, a distance of 155.06 feet;
9. thence North 88°58'48" West, a distance of 130.05 feet to the east line of "Pentecostal Annexation Area No. 2 to the North McHenry Lighting District";
10. thence North 00°33'17" West along said east line of "Pentecostal Annexation Area No. 2" and the east line of United Pallet Annexation to the North McHenry Lighting District" a distance of 1114.82 feet to the northwest corner of said Parcel 2;
11. thence South 88°59'55" East along the south line of "Pentecostal Annexation Area No. 1 to the North McHenry Lighting District", a distance of 658.19 feet to the northeast corner of said Parcel 2;
12. thence South 00°31'16" East along the east line of said Parcel 2, a distance of 1019.83 feet to the point of beginning.

Contains 16.55 acres, more or less.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.



*Max M. Garcia* 8/6/01  
Max M. Garcia, L.S. 5122 Date  
License Expires: 06/30/03

09450 JAN 23 02

PENTECOSTAL ANNEXATION AREA NO. 1  
 BOARD OF SUPERVISORS  
 RESOLUTION NO. 99-21  
 EFFECTIVE DATE: 1/5/99  
 PARCEL 1  
 50-PM-59  
 JERUSALEM COURT  
 PARCEL 11  
 50-PM-59  
 CHARITY WAY

REMAINDER  
 50-PM-59

UNITED PALLET ANNEXATION TO THE  
 NORTH MCHENRY LIGHTING DISTRICT  
 BOARD OF SUPERVISORS  
 RESOLUTION NO. 92-1458  
 EFFECTIVE DATE: 12/8/92

S 88°59'55" E 658.19'  
 (11)  
 N 2083098.613  
 E 6416522.610

EXISTING BOUNDARY OF NORTH  
 MCHENRY LIGHTING DISTRICT

ADAMS ANNEXATION TO  
 THE NORTH MCHENRY  
 LIGHTING DISTRICT

B.O.E. FILE NO. 98-004  
 BOARD OF SUPERVISORS  
 RESOLUTION NO. 97-146  
 EFFECTIVE DATE: 2/25/97

AREA OF ANNEXATION  
 16.55 ACRES

A.P.N. 04-71-35

PARCEL 3  
 48-PM-34

A.P.N. 04-71-15

A.P.N. 04-71-39

PENTECOST DRIVE

PENTECOSTAL ANNEXATION AREA NO. 2  
 BOARD OF SUPERVISORS  
 RESOLUTION NO. 99-21  
 EFFECTIVE DATE: 1/5/99

A.P.N. 04-71-12  
 N 00°33'17" W  
 155.06'

N 88°58'48" W  
 130.05'

N 2081983.845  
 E 6416533.402

N 88°58'48" W  
 182.37'

S 00°39'23" E  
 300.38'

S 86°39'12" W  
 142.97'

A.P.N. 04-71-27

N 01°41'57" E  
 60.98'

A.P.N. 04-71-36

N 88°58'48" W  
 205.26'

N 2082067.323  
 E 6417189.979

PARCEL 1  
 48-PM-34

PARCEL 2  
 48-PM-34

POINT OF BEGINNING

1019.83'

S 00°31'16" E

N 00°31'16" W

300.26'

55'

55'

55'

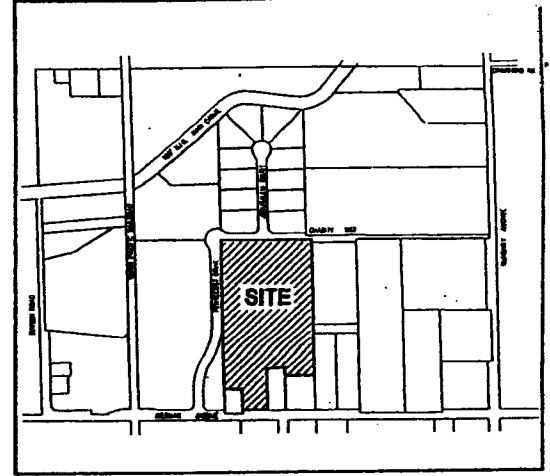
25'

KIERNAN AVENUE

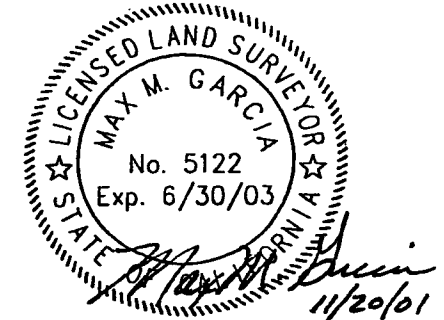
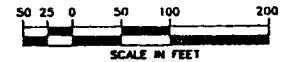
N 2081767.072  
 E 6417192.713

N 88°58'48" W 1314.86'

POINT OF COMMENCING  
 S.E. COR. SEC. 32  
 T. 2 S., R. 9 E.  
 N 2081743.666  
 E 6418507.365



VICINITY MAP



**GARCIA-DAVIS-RINGLER ENGINEERING**  
 ENGINEERING/SURVEYING/PLANNING  
 3841 MITCHELL ROAD, SUITE D, FRESNO, CA 95307  
 TELEPHONE: (209) 536-3360 FAX: (209) 536-7370

**EXHIBIT "B"**  
**B & D Industrial Park Annexation to North McHenry Lighting District**  
 County of Stanislaus, State of California

Scale: N.T.S. Date: 7/26/01

Drawn By: 1028ANNEX	Sheet: 1 of 1
Checked: SH	Job No.: 01029
Checked: JG	

091450 JAN 23 02

**EXHIBIT "A"**

**Varni Bros. Annexation to North McHenry Lighting District**  
(A.P.N. 004-094-007 and 004-094-008)

The east half of the west half of the southeast quarter of the southeast quarter of Section 32, Township 2 South, Range 9 East, Mount Diablo Base and Meridian, situate in the County of Stanislaus, State of California, described as follows:

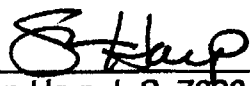
Commencing at the southeast corner of said Section 32, said point having California State Plane Coordinates of Northing: 2081743.666, Easting: 6418507.365, based upon the North American Datum of 1983;

1. thence North 88°51'30" West along the south line of said Section 32, a distance of 657.43 feet to the southeast corner of the said east half of the west half of the southeast quarter of the southeast quarter of Section 32 and the TRUE POINT OF BEGINNING;
2. thence continuing North 88°51'30" West along said south line, a distance of 328.71 feet;
3. thence North 00°22'59" West along the west line of said east half, a distance of 1320.19 feet;
4. thence South 88°52'37" East along the north line of said east half, a distance of 329.09 feet;
5. thence South 00°22'00" East along the east line of said east half, a distance of 1320.29 feet to the point of beginning.

Contains 9.97 acres, more or less.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

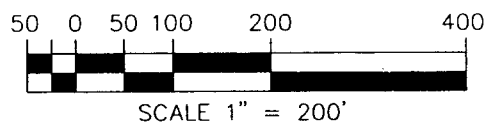
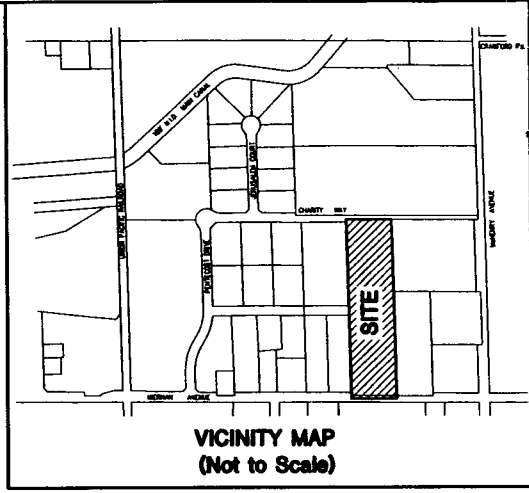
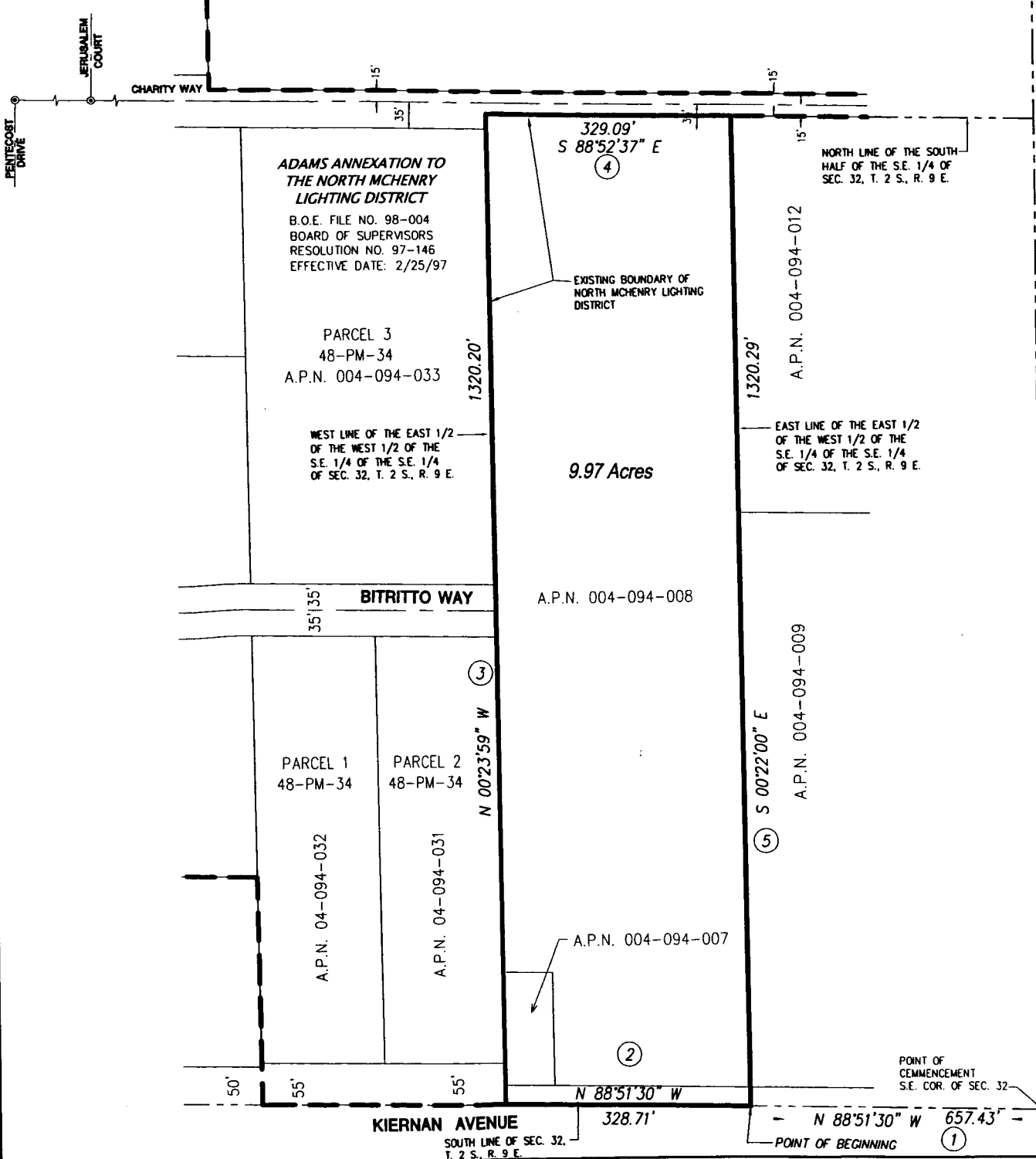


  
Sean Harp, L.S. 7823  
License Expires: 12/31/05

5-31-05  
Date



PENTECOST ANNEXATION AREA NO. 1



**GDR ENGINEERING, Inc.**  
 ENGINEERING/SURVEYING/PLANNING  
 3525 MITCHELL ROAD, SUITE G CERES, CA 95307  
 TELEPHONE: (209) 538-3360 FAX: (209) 538-7370  
 E-MAIL: gdreng@gdreng.com

**EXHIBIT "B"**  
 Varni Bro. Annexation to  
 North McHenry Lighting District  
 County of Stanislaus, State of California

Date: January, 2006

Draw No. 4080ANNEX	Sheet 1 of 1
Drawn: SH	Job No.: 04080
Checked: MG	

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

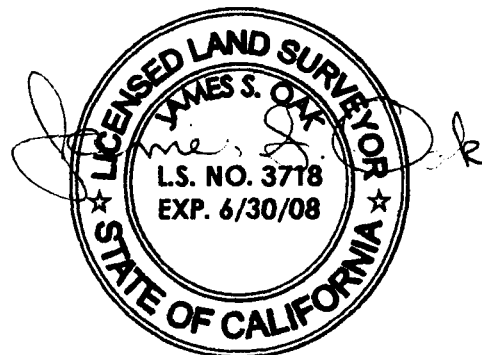
**REZONE APPLICATION NO. 2005-15-CARMAX MODESTO**  
**A.P.N. 082-009-016, 017, 018, & 019**  
**ANNEXATION OF TERRITORY TO THE**  
**NORTH MCHENRY LIGHTING DISTRICT**

All that certain real property being all of Parcels 1, 2, 3, and 4 of Parcel Map recorded in Book 31 of Parcel Maps, at Page 22, Stanislaus County Records, together with a portion of the Southwest ¼ of Section 4, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, more particularly described as follows:

**BEGINNING** at the intersection of the center line of McHenry Avenue with the Westerly extension of the North line of Parcel 1. of said parcel map, said corner being at the Southwest corner of the NORTH MCHENRY LIGHTING DISTRICT, AUTO CENTER COURT; thence 1. South 89° 36' 55" East, 928.60 feet along said North line of Parcel 1. to the Northeast corner of said Parcel 1., being also the Southeast corner of said NORTH MCHENRY LIGHTING DISTRICT, AUTO CENTER COURT; thence 2. South 1° 15' 15" East, 476.98 feet, to the Southeast corner of Parcel 4., of said parcel map, said corner being on the North right of way line of Claratina Avenue, as shown on said parcel map, also being the North line of the City Limits of the City of Modesto; thence 3. North 89° 32' 33" West, 928.88 feet, more or less, along said North right of way line, and the Westerly extension of said line, to said center line of McHenry Avenue; thence 4. North 1° 13' 31" West 475.80 feet along said center line of McHenry Avenue, also being a portion of the Easterly boundary of said North McHenry Lighting District, to the point of beginning.

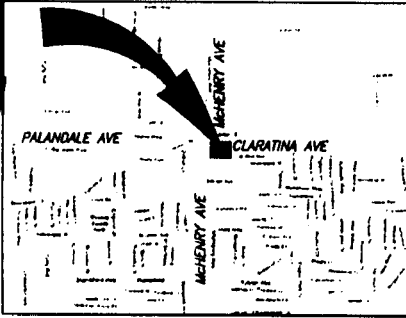
**CONTAINING:** 10.15 Acres, more or less.

Bearings, distances are based on California Coordinate System, NAD83.

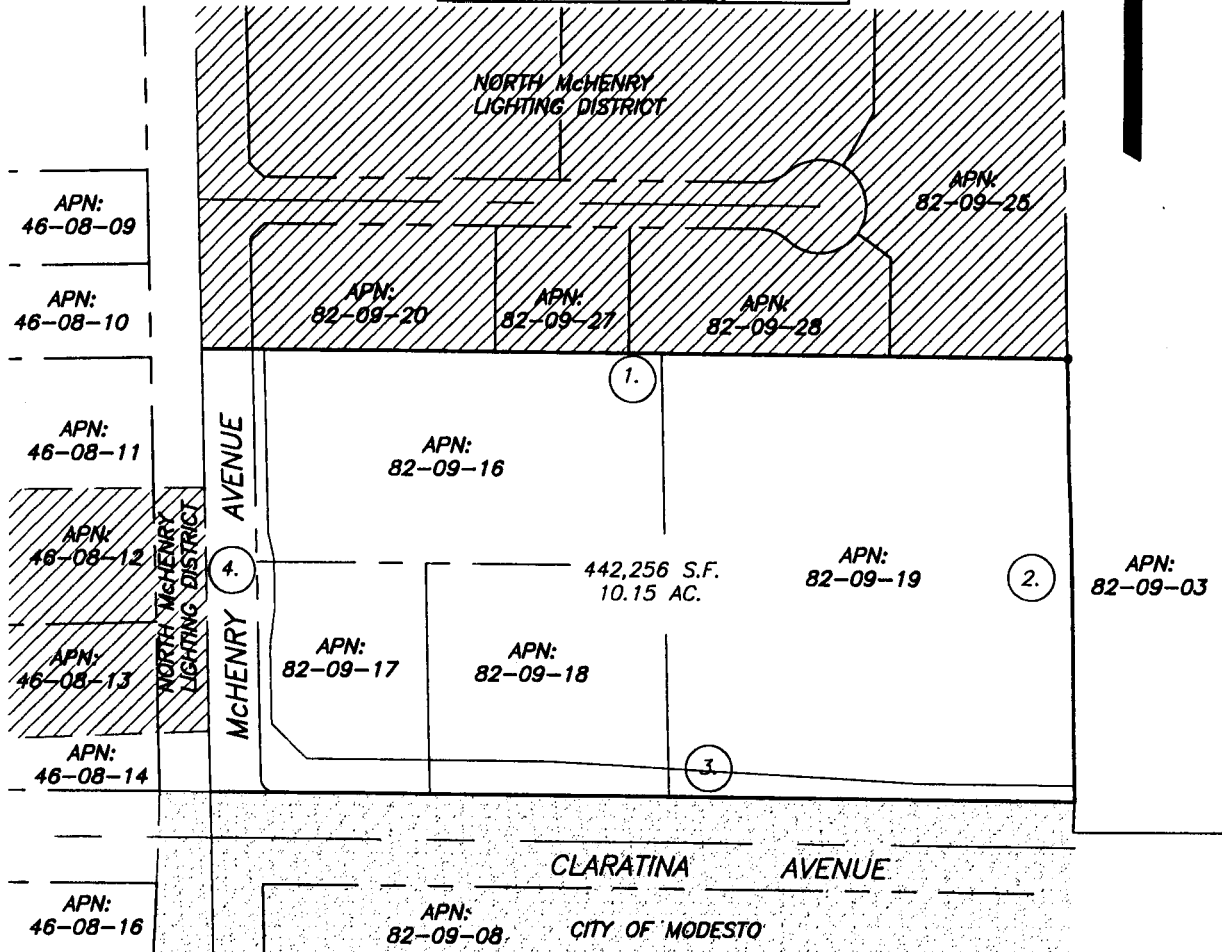


# PROJECT LOCATION

VICINITY MAP  
SCALE N.T.S.



SCALE 1" = 200'



## BASIS OF BEARINGS:

The Bearing of N. 00°41'43" W. between GPS-2728 and GPS-2824 as shown on the survey filed in Volume 22 of Surveys, Page 51, Stanislaus County Records, was used as the Basis for all Bearings shown on this map.

This boundary is within the Southwest quarter of section 4 T.3S., R.9E., M.D.B.&M., County of Stanislaus, State of California.

LINE TABLE		
LINE	LENGTH	BEARING
1.	928.60'	S89°36'55"E
2.	476.98'	S01°15'15"E
3.	928.88'	N89°32'33"W
4.	475.80'	N01°13'31"W



Owens Design Consultants  
2200 McHenry Avenue, Suite C  
Modesto, CA. 95350  
(209) 522-8031 - fax: (209) 522-4738 - www.odcengr.com

Drawn By: AR  
Checked By: JO  
Scale: 1"=200'  
Job No. 25068  
Date: 5/14/07  
CAD File Name: 25068\_LIGHT....dwg

Project: **CARmax**  
LIGHTING DISTRICT  
Title: EXHIBIT 'B'  
STANISLAUS COUNTY STATE OF CALIFORNIA

Sheet No.

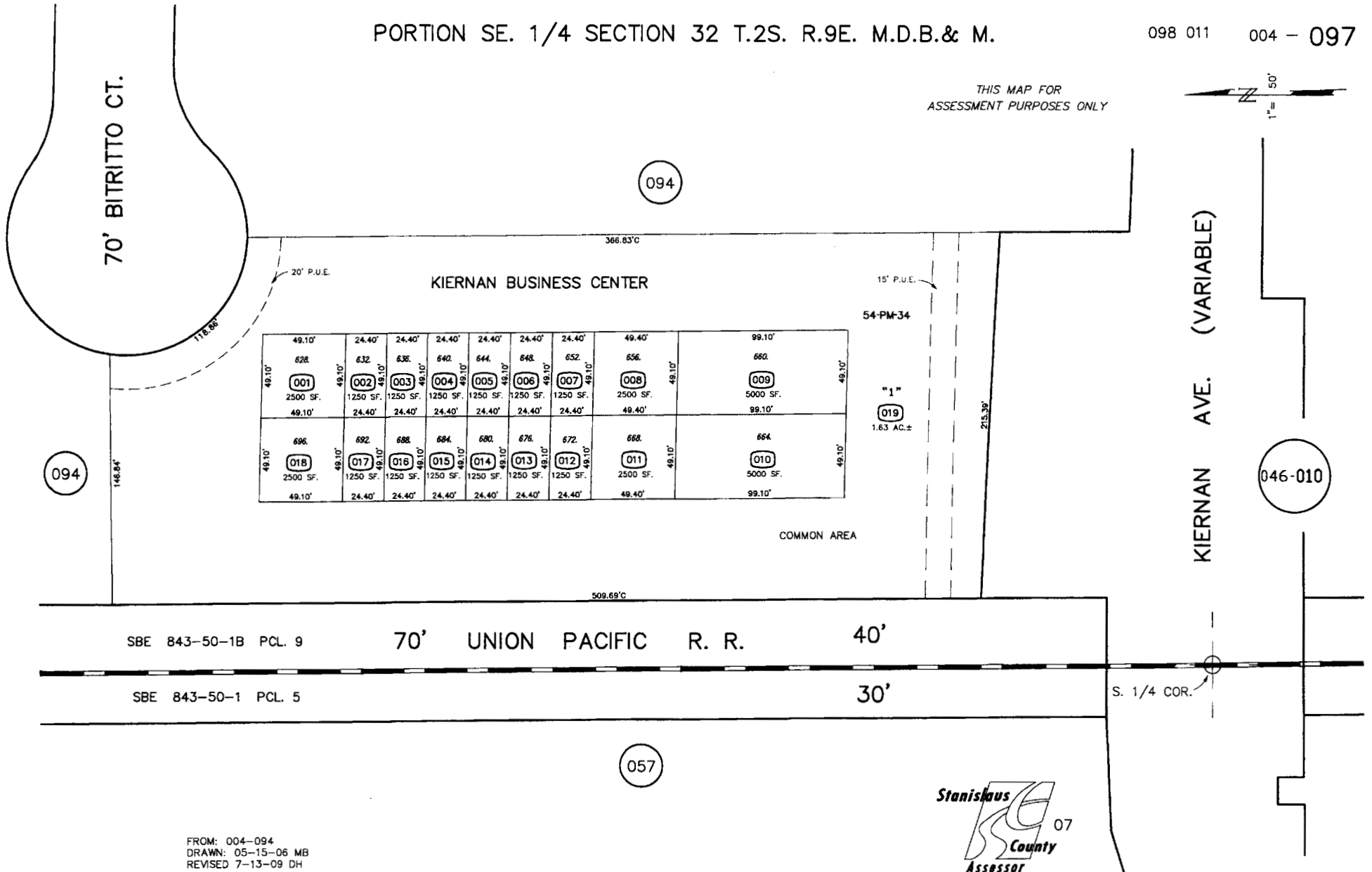
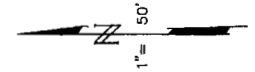
1

of 1

PORTION SE. 1/4 SECTION 32 T.2S. R.9E. M.D.B.& M.

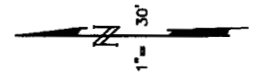
098 011 004 - 097

THIS MAP FOR  
ASSESSMENT PURPOSES ONLY



FROM: 004-094  
DRAWN: 05-15-06 MB  
REVISED 7-13-09 DH

THIS MAP FOR  
ASSESSMENT PURPOSES ONLY

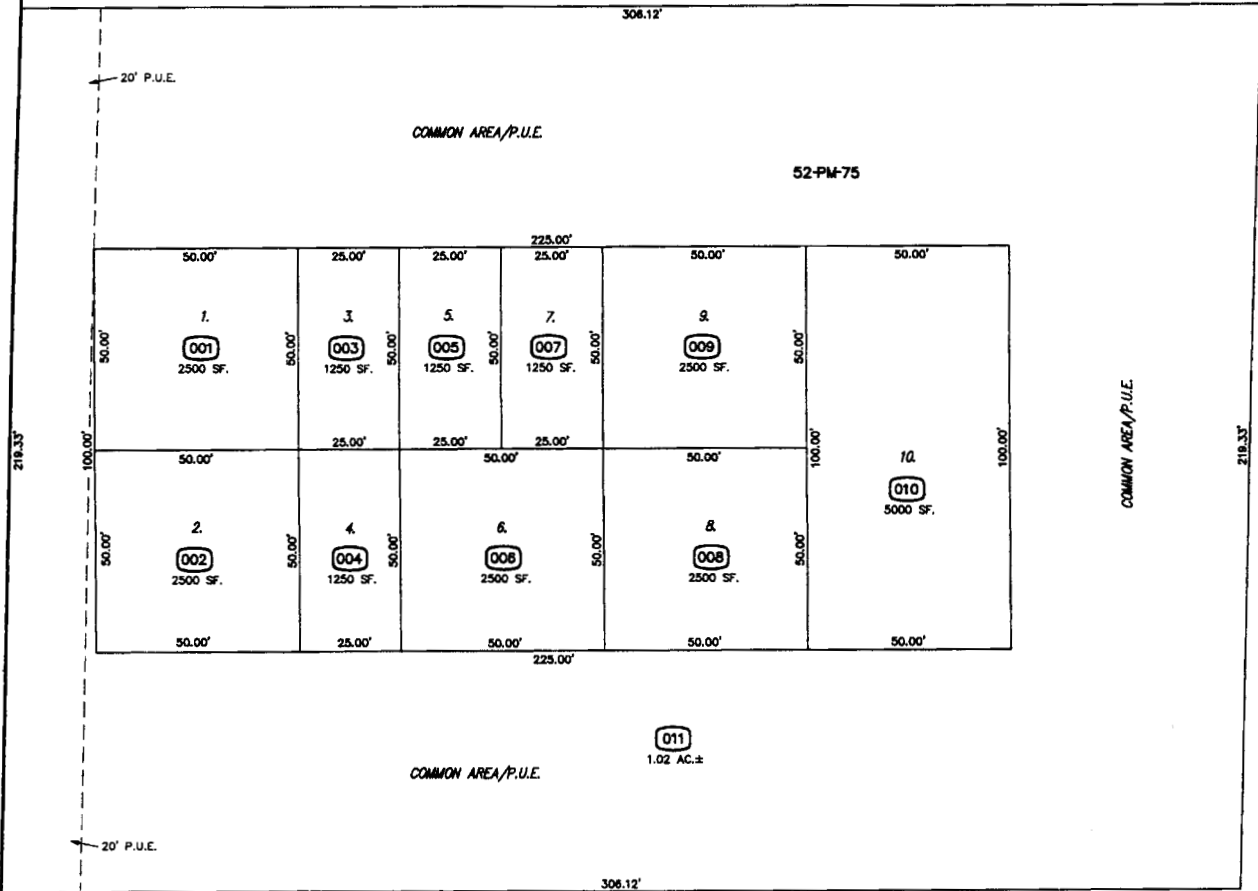


094

70' CHARITY WAY

065

JERUSALEM COURT



094

094

FROM: 004-094  
DRAWN: 7-29-04 MF  
REVISED: \*

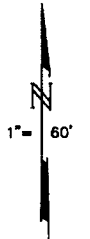


POR. SE. 1/4 SECTION 32 T.2S. R.9E. M.D.B.& M.

004 - 098

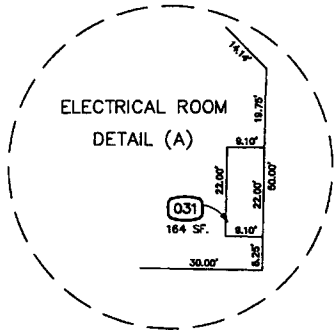
098 014

THIS MAP FOR  
ASSESSMENT PURPOSES ONLY

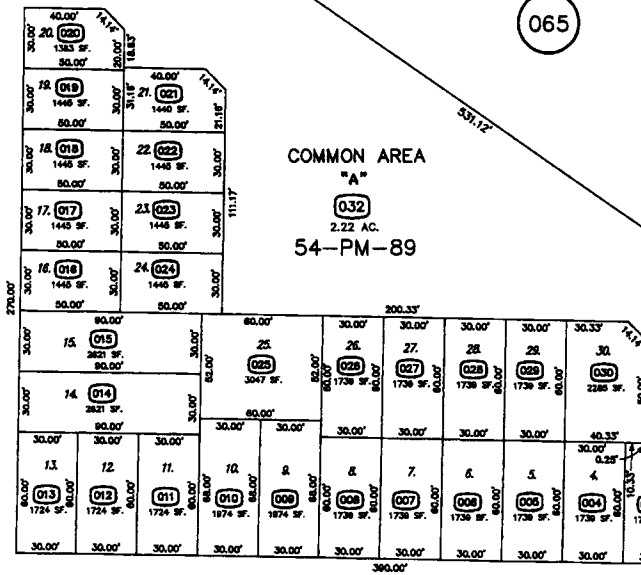


NOTE:  
UNITS SQUARE FOOTAGE  
SHOW INTERIOR AREA ONLY.  
SEE CCR'S IN DOC.# 06-0161451

STERLING INDUSTRIAL  
CENTER  
COMMERCIAL CONDOMINIUMS

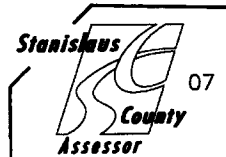


COMMON AREA  
"A"  
032  
2.22 AC.  
54-PM-89



CHARITY  
WAY 70'

PENTECOST  
DR. 70'



004 - 098

100' M.I.D.

70' R/W UNION PACIFIC CORP. R.R.  
SBE 843-50-1B PCL. 8

057

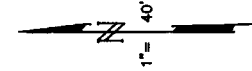
FROM: 004-065  
DRAWN: 11-28-06 MB.  
REVISED

094

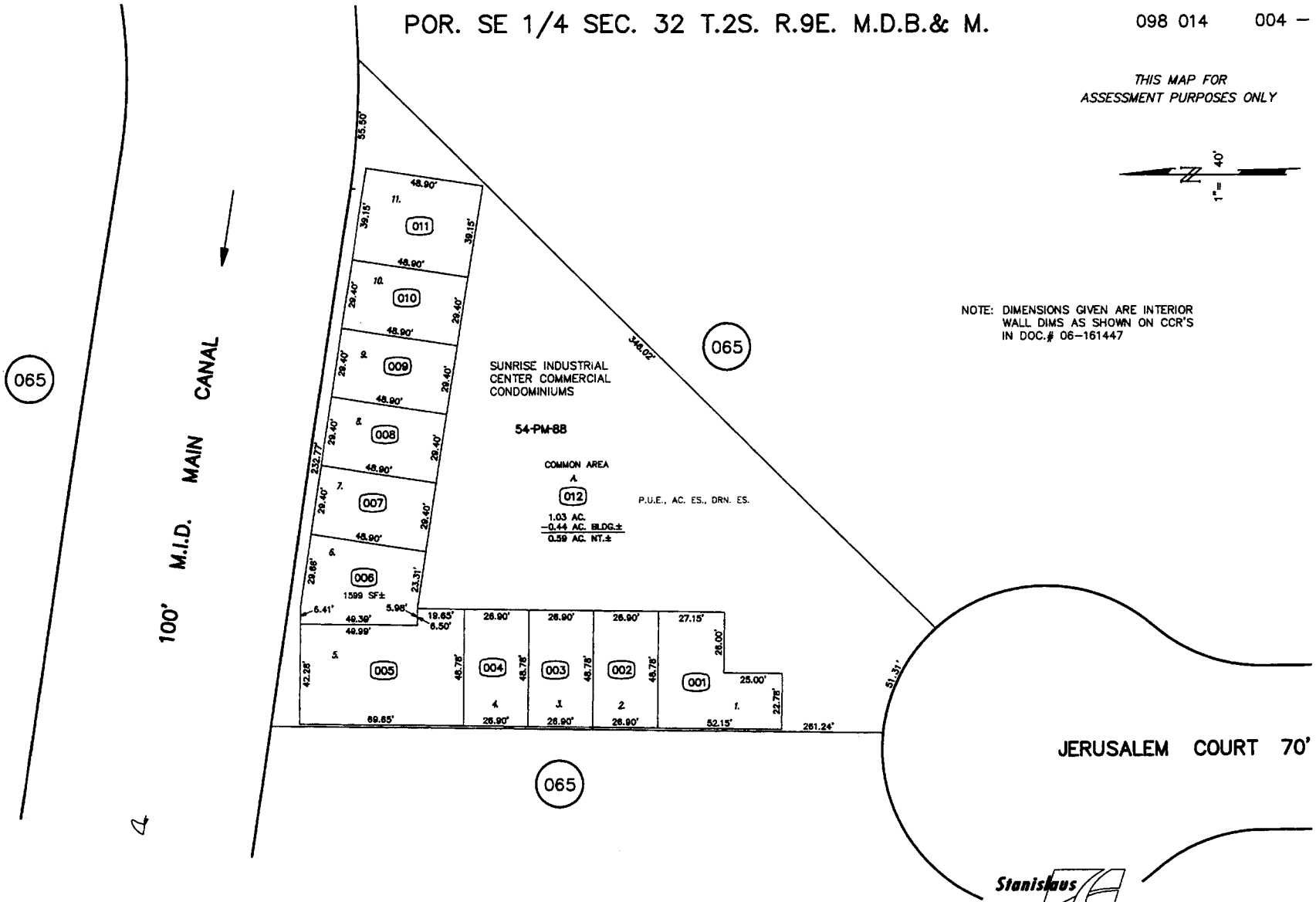
POR. SE 1/4 SEC. 32 T.2S. R.9E. M.D.B.& M.

098 014 004 - 099

THIS MAP FOR  
ASSESSMENT PURPOSES ONLY



NOTE: DIMENSIONS GIVEN ARE INTERIOR  
WALL DIMS AS SHOWN ON CCR'S  
IN DOC.# 06-161447



FROM 004-065  
DRAWN 1-16-07 DH  
REVISED

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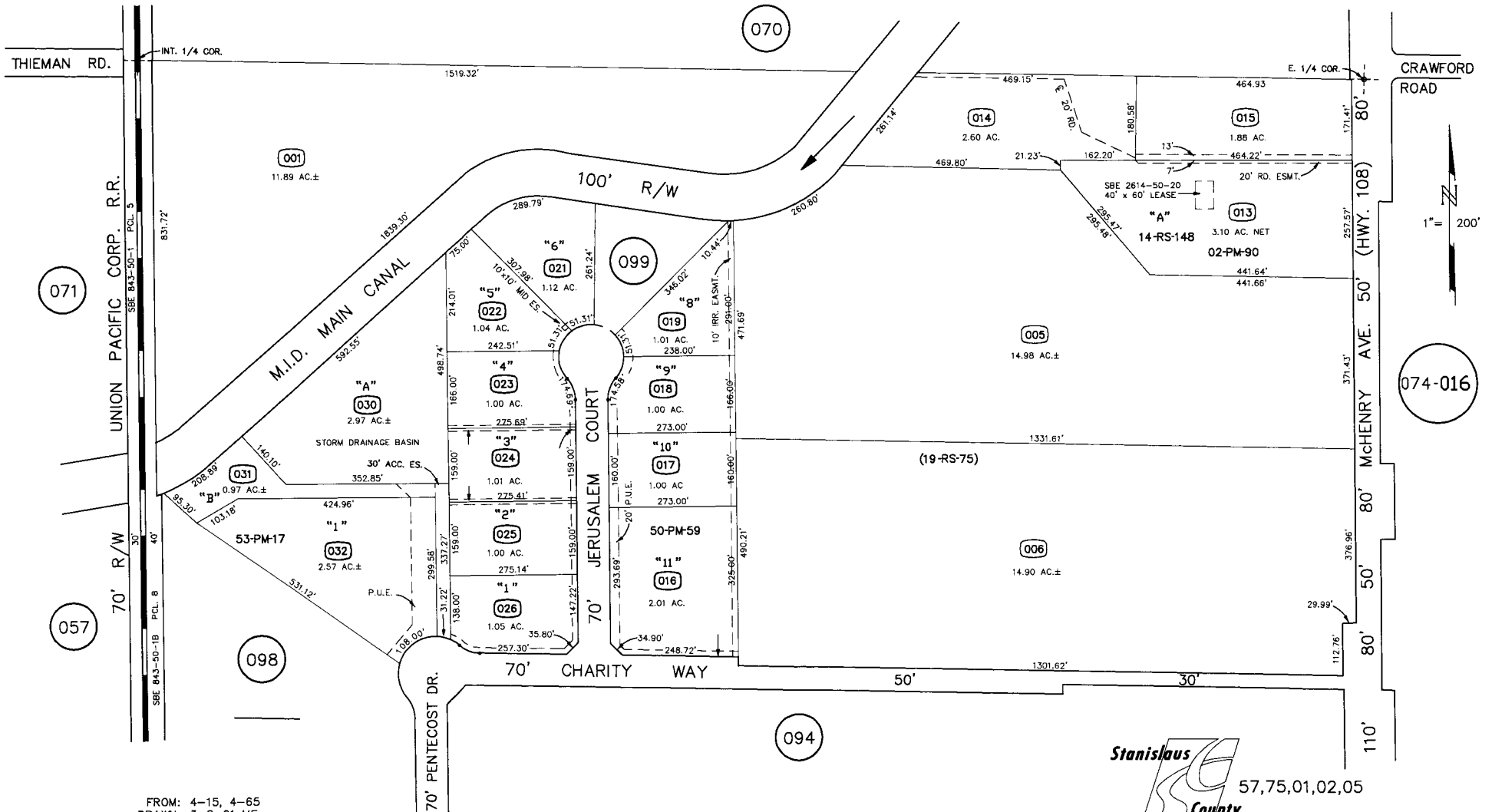
004 - 099

POR. SE. 1/4 SECTION 32 T.2S. R.9E. M.D.B.& M.

098 001  
098 014

004 - 065

THIS MAP FOR  
ASSESSMENT PURPOSES ONLY



FROM: 4-15, 4-65  
DRAWN: 3-8-01 MF  
REVISED: 1-4-96, 3-8-01 MF, 5-10-01 DH, 8-1-02 MF, 6-12-03 DH, 12-16-04 MB, 3-15-05 MF, 11-29-06 MB, 1-16-07 DH, 12-29-08 MB, 06-08-10 MB.



57,75,01,02,05

004 - 065

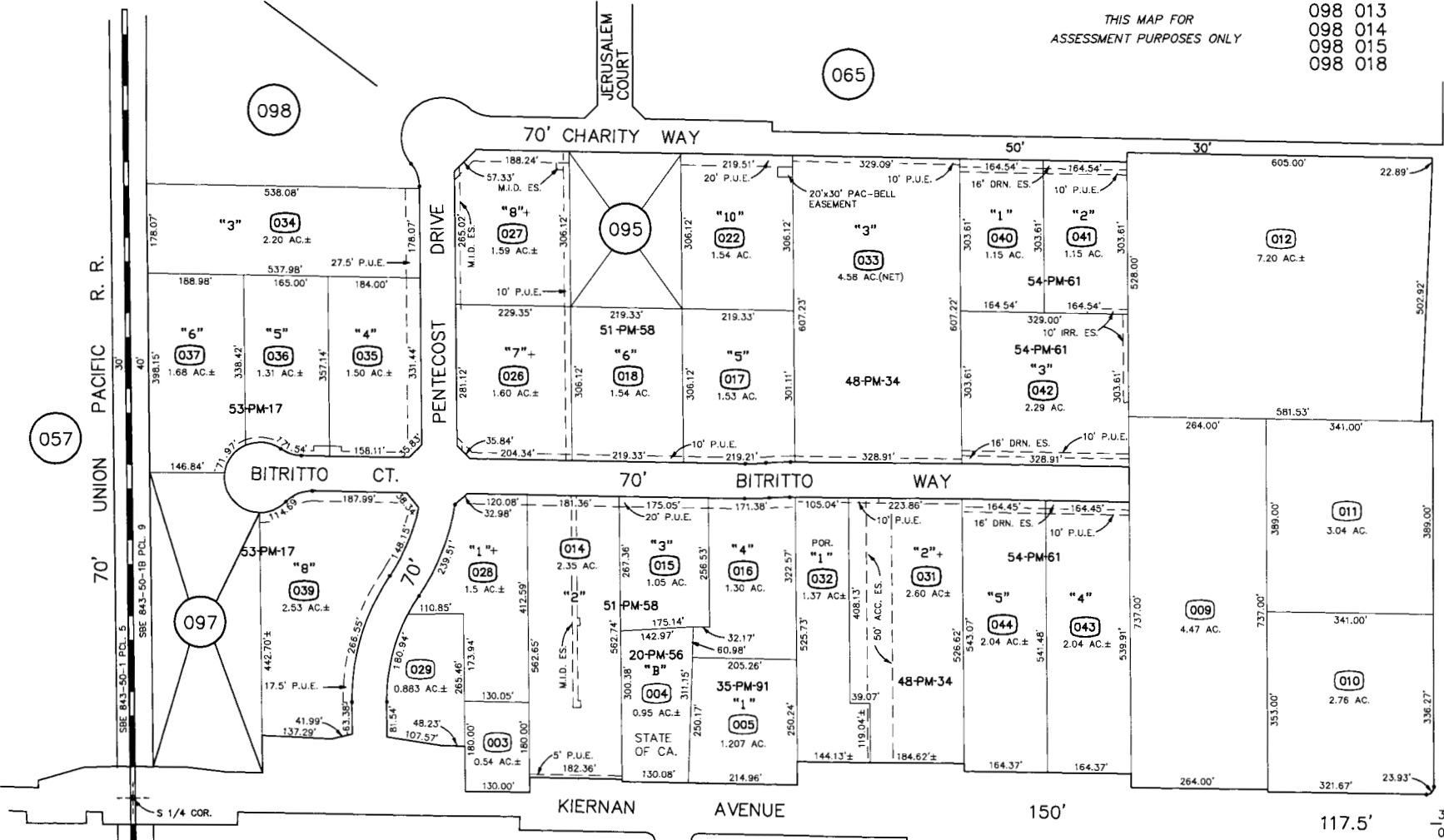
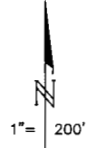


POR. S 1/2 SECTION 32 T.2S. R.9E. M.D.B.& M.

098 001  
098 011  
098 013  
098 014  
098 015  
098 018

004 - 094

THIS MAP FOR  
ASSESSMENT PURPOSES ONLY



074-015

FROM: 004-71  
DRAWN: 7-31-02 MF  
REVISED: 5-22-03 MF, 7-25-03 DH, 11-20-03 DH, 2-13-04 MF  
05-25-04 MB, 7-29-04 MF, 8-2-04 DH, 12-16-04 MB,  
03-15-05 MF, 05-15-06 MB., 08-31-06 MB., 11-29-06 MB.  
12-29-08 MB., 06-22-09 MB, 10-27-09 DH, 02-26-10 MB.  
7-15-10 MF

046-010



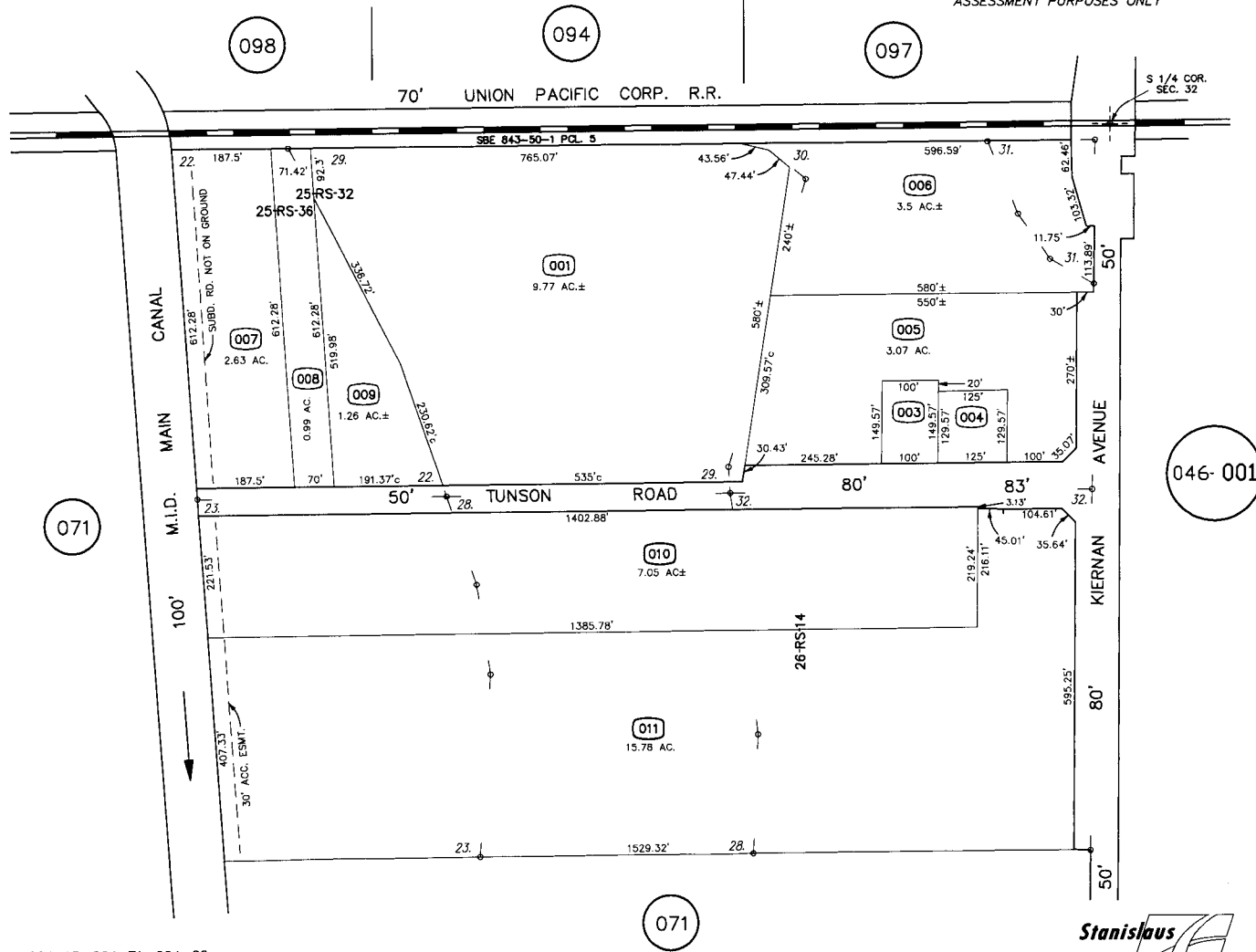
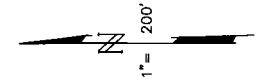
03,04,05,07

PORTION SW 1/4 SEC. 32 T.2S. R.9E. M.D.B.& M.  
 POR. CARVER TR. LTS. 22,23,28,29,30,31,32 (7M45)

098 001  
 098 012

004 - 057

THIS MAP FOR  
 ASSESSMENT PURPOSES ONLY



FROM: 004-15, 004-71, 004-20  
 DRAWN: 12-17-74  
 REVISED: 3-4-87, 12-13-96, 6-26-01 DH, 2-27-02 DH, 05-15-06 MB, 11-29-06 MB,  
 12-29-08 MB, 7-8-10 MF

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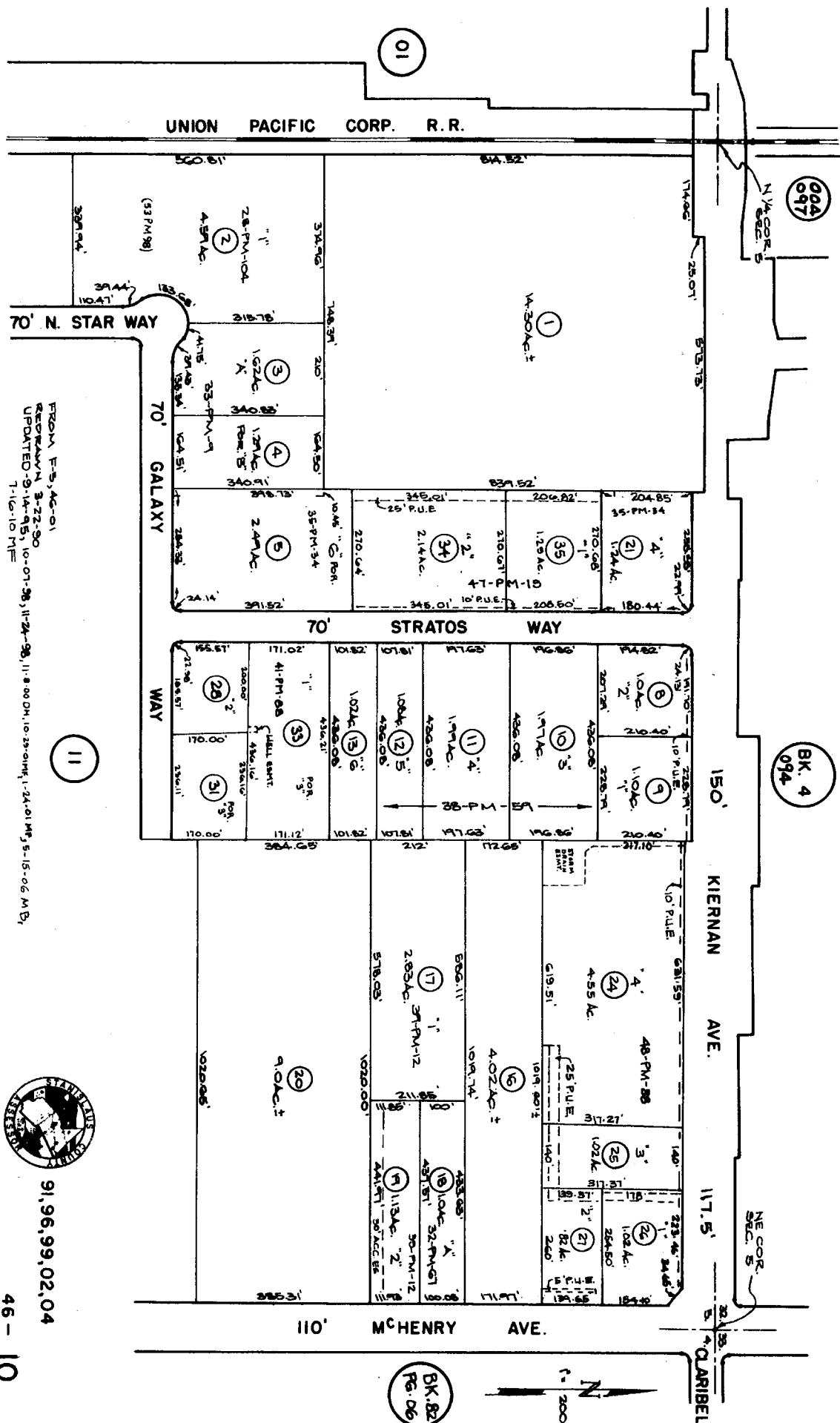
54,66,76,02

004 - 057

PORTION NE 1/4 SECTION 5 T.3S. R.9E. M.D.B.8.M.

109 007

46 - 10



FROM F-5, AC-01  
 REPEAL BY 3-22-90  
 UPDATED 9-14-95, 10-07-98, 11-24-98, 11-8-00 DM, 10-23-01 MP, 1-24-01 MP, 5-15-06 MB,  
 7-16-10 MP



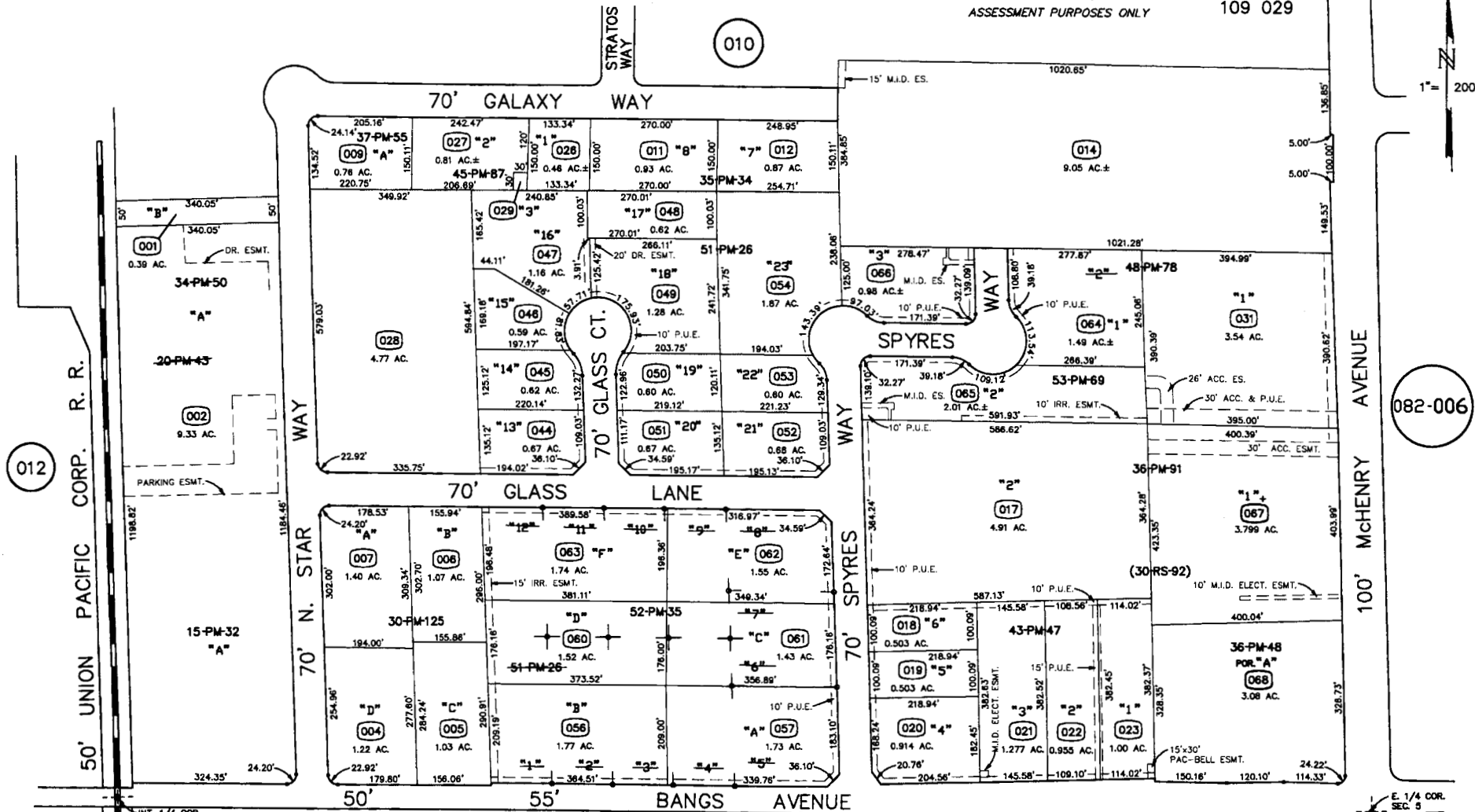
91,96,99,02,04

POR. NE 1/4 SECTION 5 T.3S. R.9E. M.D.B.& M.  
BANGS INDUSTRIAL PARK (51PM26)

109 007  
109 016  
109 022  
109 024  
109 029

046 - 011

THIS MAP FOR  
ASSESSMENT PURPOSES ONLY



082-006

FROM: F-5, 46-01  
DRAWN: 3-22-90  
REVISED: 6-10-91, 6-16-93 NC, 7-9-98, 2-8-02 MF, 9-5-02 MF, 9-16-02 DH,  
02-12-04 MB., 5-11-05 MB., 06-09-05 MB., 01-03-06 MF, 5-26-06 DH, 09-04-08 MB



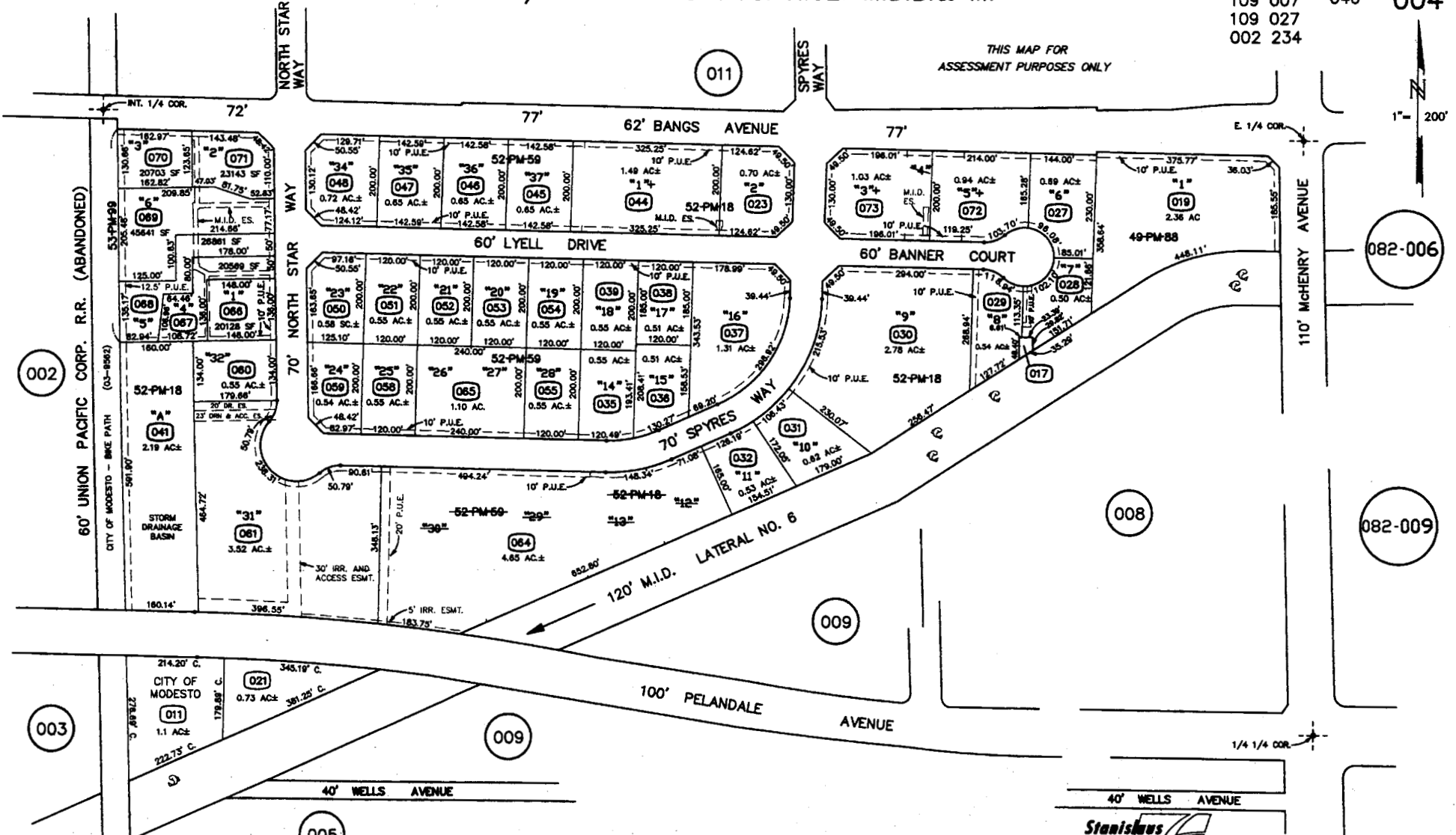
91,99,02,03,04,06,09

046 - 011

POR. SE 1/4 SECTION 5 T.3S. R.9E. M.D.B.& M.

109 030  
 109 007 046 - 004  
 109 027  
 002 234

THIS MAP FOR  
 ASSESSMENT PURPOSES ONLY



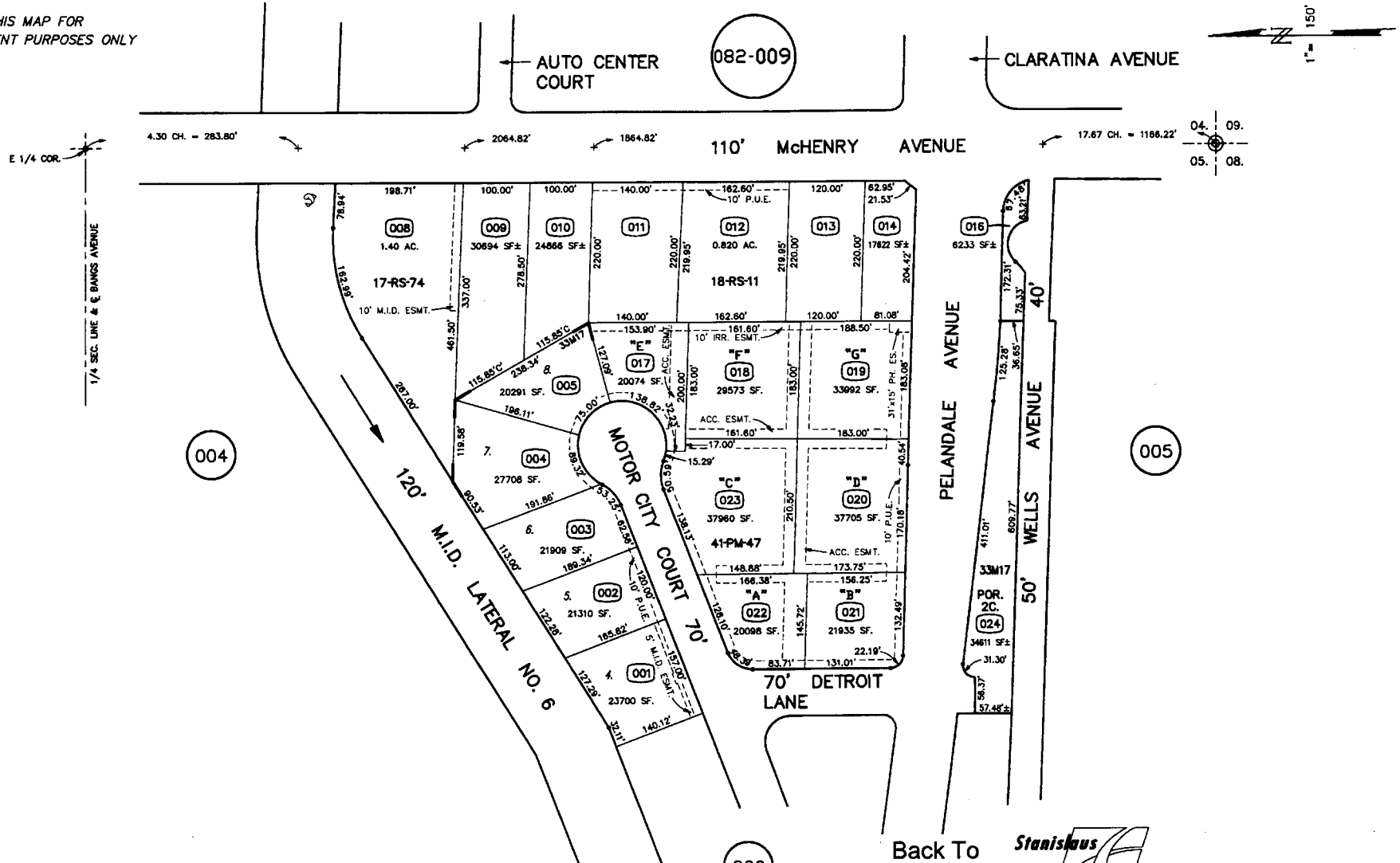
FROM: F-5, 046-04  
 DRAWN: 10-13-80  
 REVISED: 8-31-88, 7-13-00, 4-29-02, 8-1-03(V) MF, 11-21-03 MF, 2-4-04 DH, 6-4-04 MB, 09-15-04 MB,  
 1-4-06 DH, 2-14-06 DH, 8-16-06 MF, 9-7-07 DH, 04-15-08 CS

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 61,01,02,04,05,06,07

POR. SE 1/4 SECTION 5 T.3S. R.9E. M.D.B.& M.  
 POR. LAVERTY INDUSTRIAL PARK, LOTS 4-8 & POR. 2C (33M17)

109 007 109 012 046 - 008  
 109 008 109 013  
 109 009

THIS MAP FOR  
 ASSESSMENT PURPOSES ONLY



FROM: F-5, 046-004  
 DRAWN: 8-31-88  
 REVISED: 9-13-92 CS, 9-17-01 MF, 7-28-05 MF, 5-23-07(V) MF, 9-25-07 DH

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61,89,92,02

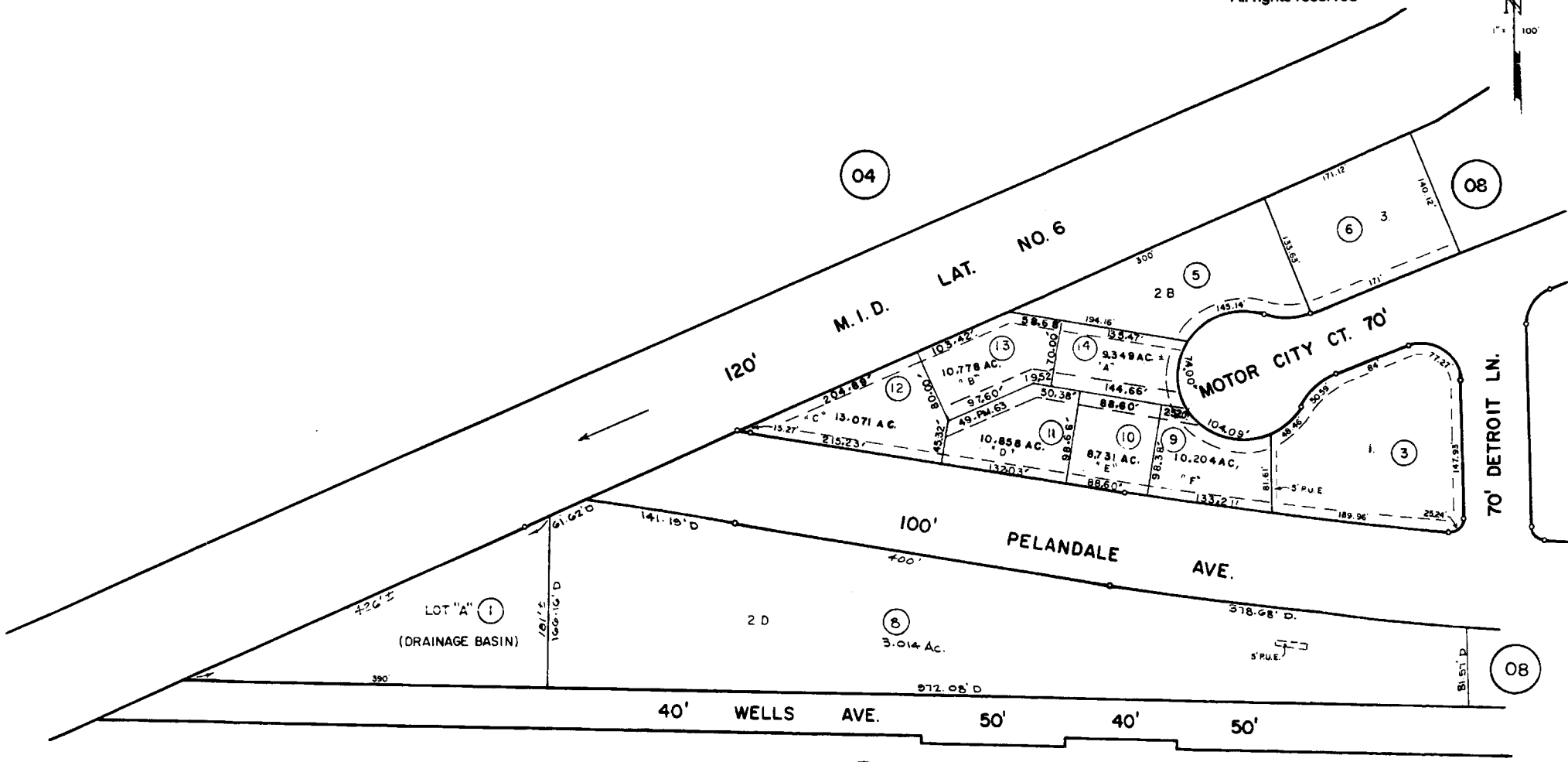
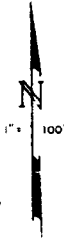
046 - 008

PORTION SE 1/4 SECTION 5 T.3S. R.9E. M.D.B. & M.  
 POR. LAVERTY INDUSTRIAL PARK

109 009

46 - 09

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FROM F-3, 46-04  
 33-M-17  
 9-2-88  
 UPDATED 2-13-92 CS  
 10-11-95 NC  
 2-11-00 MB

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89,92,00

46 - 09

PORTION SE 1/4 SECTION 5 T.3 S. R.9 E. M. D.B. & M.

109 07

46 - 05

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CLARATINA AVE.

AVE.

AVE.

MCHENRY AVE.

82-10

52-60

SE COR. SEC. 5

110' 105' 80'

03

04

09

08

BK.55

BK.55



62, 91, 96

46 - 05

120' M.I.D. LAT. NO. 6

40' 50' 40' WELLS AVE. 50' 40'

60' UNION PACIFIC CORP. R. R. (ABANDONED) CITY OF MODESTO - BIKE PWAY

SBE 842-50-2 PCL. 3 1080'

18 5.5 AC.±

15 16.5 AC.±

2 98 AC.±

3 6.71 AC.±

6 5.70 AC.±

15 9 PM-83

14 942 AC.±

10 223'

11 223'

12 223'

13 223'

14 223'

15 223'

16 223'

17 1.85 AC.

ABND. DETROIT LN. 472.35'

\* MANY UTILITY ESM'TS. THROUGH OUT PCL. 'X'

FROM F-5, 46-05 REDRAWN 10-6-80 UPDATED 8-29-90, 1-3-96, 5-18-97 Nc., 2-17-04 MF, 4-14-06 DH



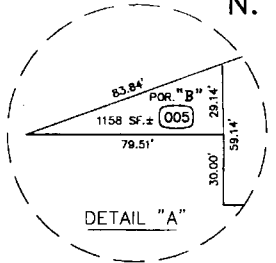
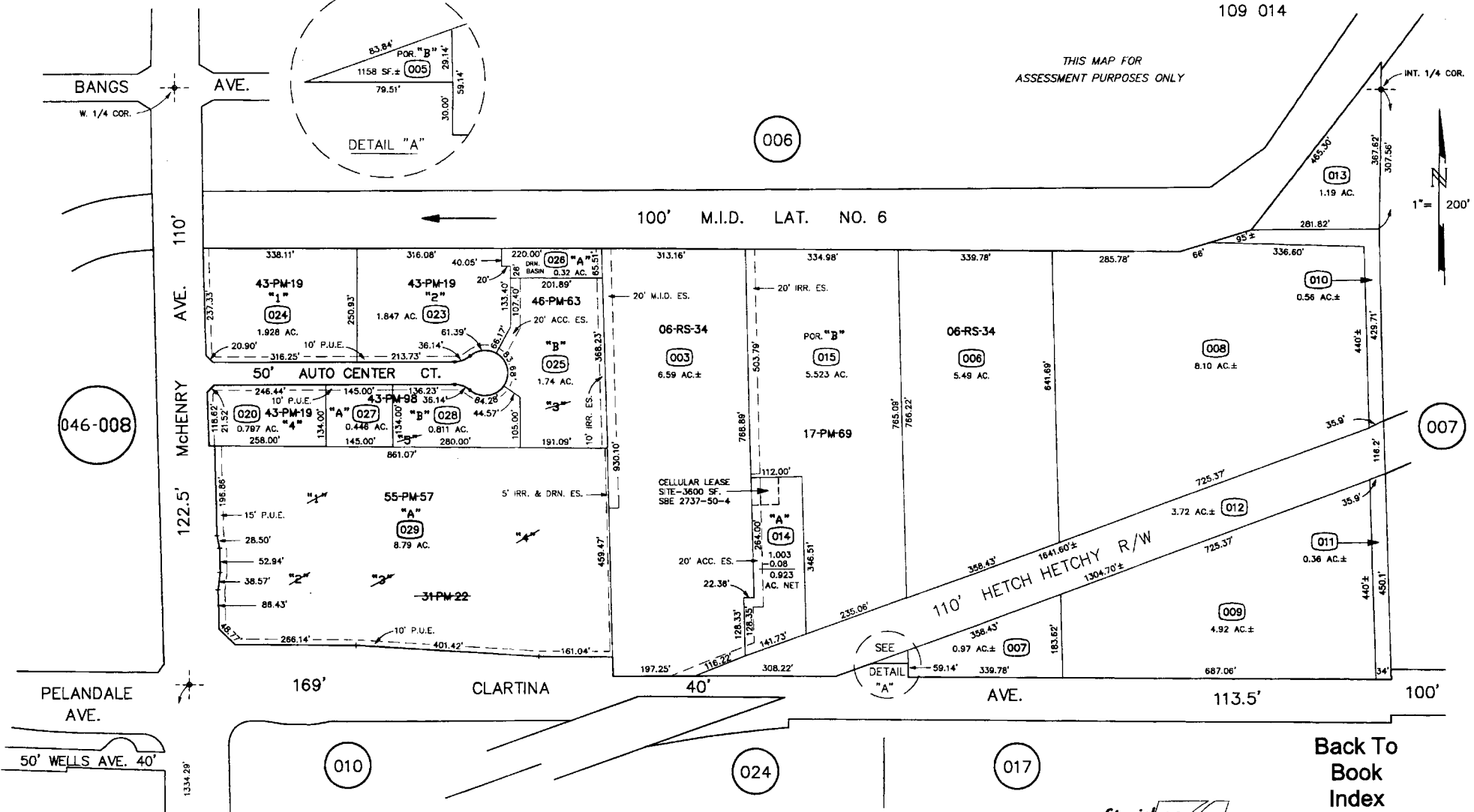
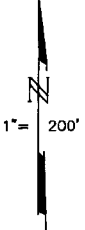
N. 1/2 OF SW. 1/4 OF SECTION 4 T.3S. R.9E. M.D.B.& M.

109 001  
109 006  
109 014

082 - 009

THIS MAP FOR  
ASSESSMENT PURPOSES ONLY

006



046-008

007

SEE  
DETAIL  
'A'

FROM: F-4, 052-009  
DRAWN:  
REVISED: 04-09-71, 08-17-90, 07-28-94, 06-02-98, 11-14-98, 04-03-02 MF., 11-02-05 DH., 11-14-07 (V) MB.



62,71,98,99,08

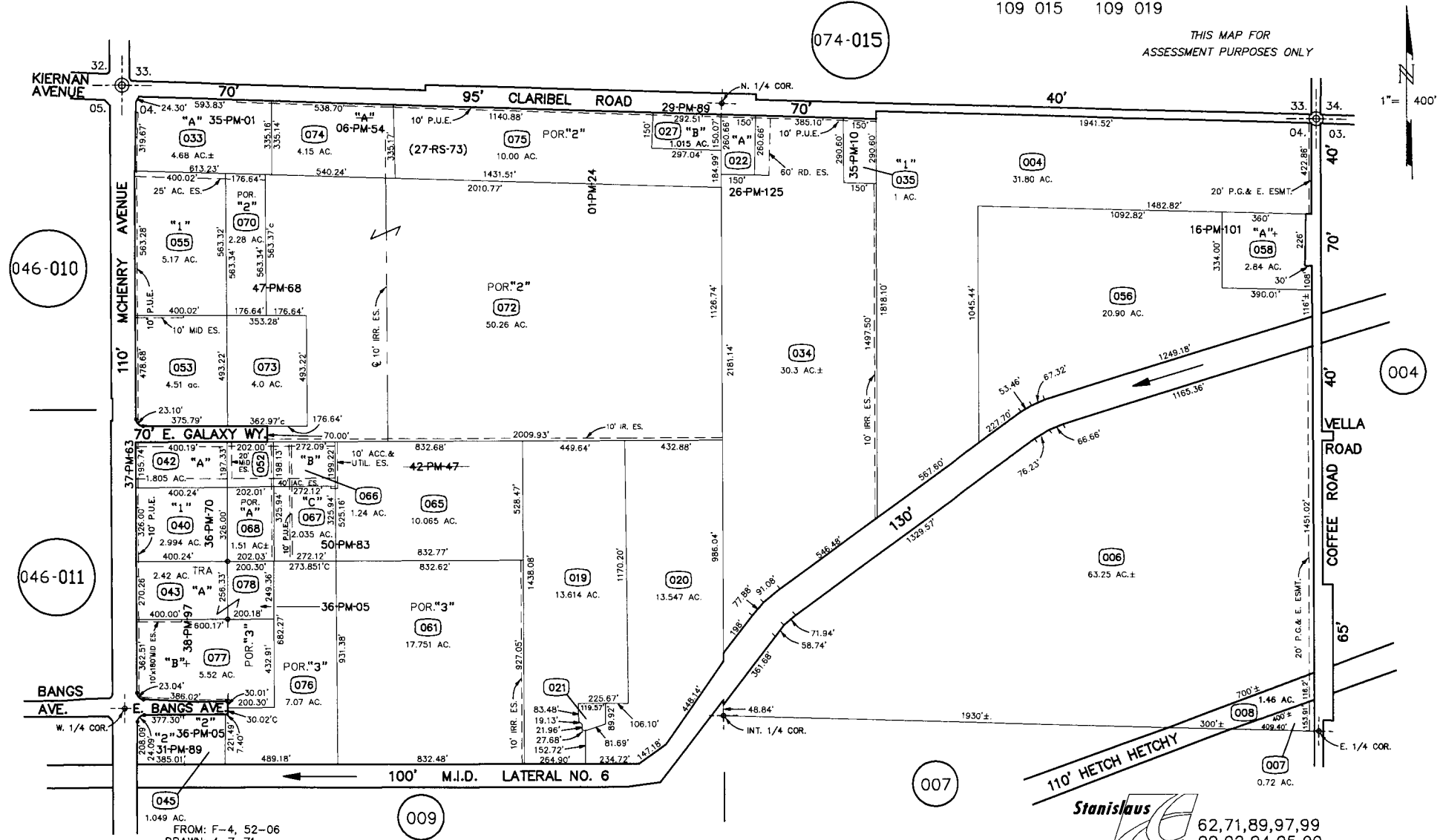
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N 1/2 SECTION 4 T.3S. R.9E. M.D.B.& M.

109 001 109 017 109 026 082 - 006  
 109 004 109 018 109 028  
 109 015 109 019

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 ASSESSMENT PURPOSES ONLY

1" = 400'



FROM: F-4, 52-06  
 DRAWN: 4-7-71  
 REVISED: 12-20-94, 6-5-96, 10-14-98, 11-14-98, 4-25-00 MB, 11-20-00, 8-13-01 MB, 8-31-01 MF, 4-29-02 DH, 3-3-03 DH, 6-11-03 DH  
 11-01-04 DH, 9-7-07 DH, 2-20-08 DH, 1-19-10 MF, 5-5-10 MF

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 62,71,89,97,99  
 00,02,04,05,09

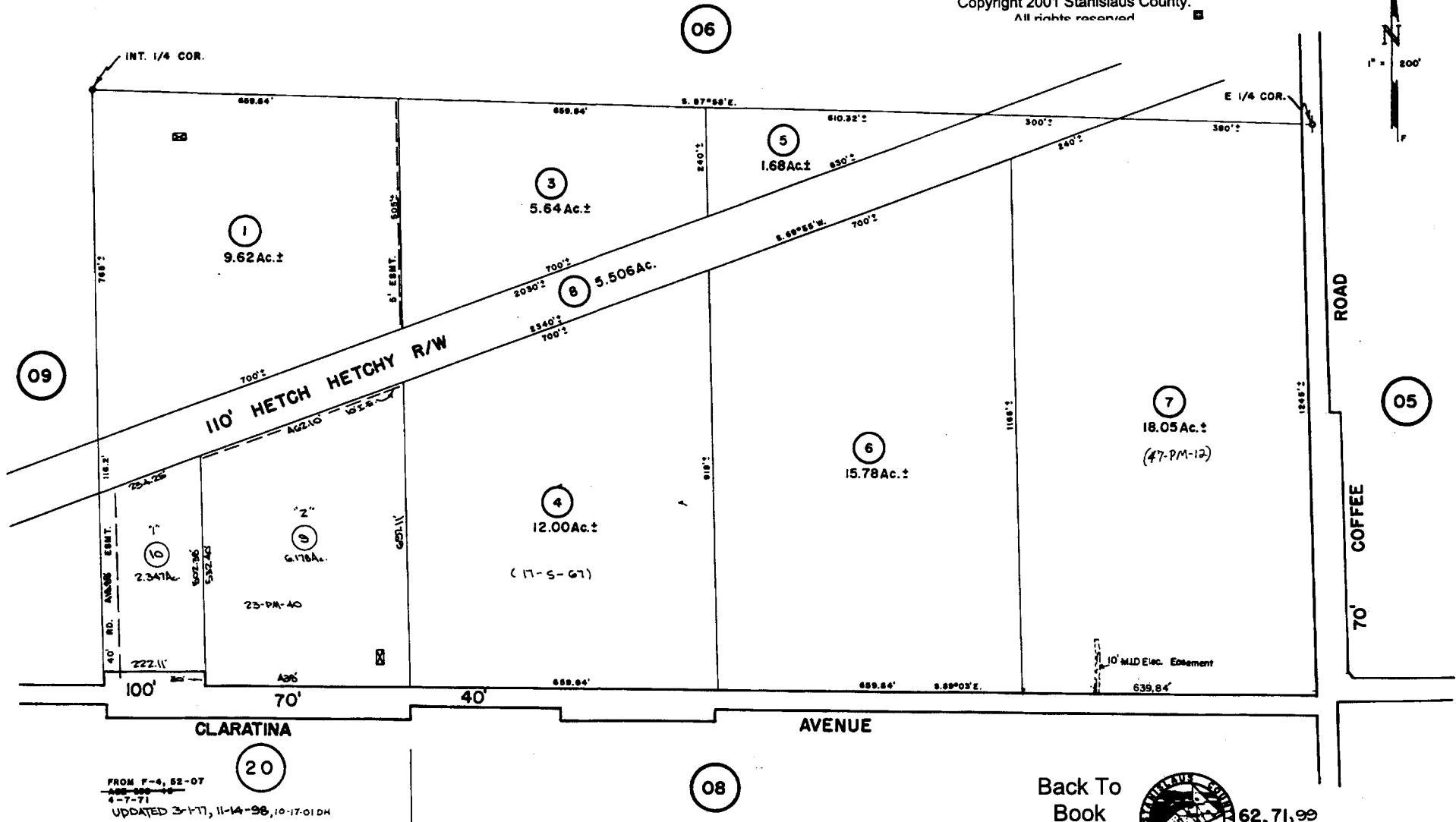
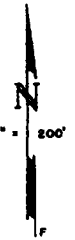
082 - 006

N 1/2 OF SE 1/4 OF SECTION 4 T. 3 S. R. 9 E. M. D. B. & M.

109 001

82-07

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FROM F-4, 52-07  
~~4-7-71~~  
UPDATED 3-1-77, 11-14-98, 10-17-01 DH

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62, 71, 99

82-07

**NOTICE OF PUBLIC HEARING REGARDING  
THE NORTH MCHENRY #1 LIGHTING DISTRICT AND PROPOSED CHANGES IN ASSESSMENT METHODOLOGY  
FOR CALCULATING ASSESSMENTS AND THE LEVY OF AN ANNUAL ASSESSMENT**

NOTICE IS HEREBY GIVEN that on Tuesday, March 1, 2011, at the hour of 9:05 a.m., or as soon thereafter as the matter may be heard, in the Basement Chambers of the City/County Administration Building, 1010 10th Street, Modesto, California, the Board of Supervisors of Stanislaus County will hold a public hearing to consider changes in the methodology for calculating assessments for the North McHenry #1 Lighting District, conduct an assessment ballot procedure, and consider the levy of an annual assessment based upon the proposed new methodology. The District contains all that certain real property in the County of Stanislaus, State of California, particularly described in the original formation document and 27 subsequent annexations. Legal descriptions and individual maps of the formation and 27 subsequent annexations are on file and available at the Stanislaus County Public Works Department. Contact Mike Wilson – Sr Engineering Technician at 525-4190 for additional information. The District contains 239 acres more or less.

**North McHenry No 1 Lighting District Boundary Map**

