

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

DEPT: Public Works *Man*

BOARD AGENDA # 9:05 a.m.

Urgent Routine

AGENDA DATE March 1, 2011

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Public Hearing to Consider Changes in Methodology for Calculating Assessments and to Conduct an Assessment Ballot Procedure in Compliance with California Constitution Article XIII D - Proposition 218, for the North McHenry No.1 Lighting District

STAFF RECOMMENDATIONS:

- 1) Find that the requirements for notice of the Public Hearing were given pursuant to California Government Code Section 53753(B), and the Highway Lighting District Act Code sections 19051 & 2.
- 2) Approve the revised Engineer's Report and make it part of the record of this proceeding. Attachment "D".
- 3) Conduct the Public Hearing to receive comments regarding:
 - A. The proposed methodology for calculating the annual assessments.
 - B. The levy of the annual assessment to pay for the lighting services.

(Continued on Page 2)

FISCAL IMPACT:

Costs associated with the ballot procedure (\$3,416) will be borne by the North McHenry No.1 Lighting District. To correct the structural deficit that the District is experiencing, this ballot procedure proposes an increase and change to the current assessment methodology of \$30.44 per parcel. For a typical one acre parcel of developed commercial/industrial property the new methodology would propose an assessment of \$98.32 and for a one quarter acre of developed commercial/industrial property \$24.58. The proposed increase is based on an assessment methodology detailed in the "Discussion" portion of this report and in the required Engineer's Report.

(Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2011-132

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

File No. DL-29-A-10

Public Hearing to Consider Changes in Methodology for Calculating Assessments and to Conduct an Assessment Ballot Procedure in Compliance with California Constitution Article XIII D - Proposition 218, for the North McHenry No.1 Lighting District

STAFF RECOMMENDATIONS (Continued):

- 4) Find that the California Constitution Article XIII D, "Proposition 218" requirements for Public Hearing and Assessment Ballot Procedure have been completed upon closure of this public hearing regarding this matter.

- 5) Authorize the Clerk of the Board to oversee the opening of the sealed ballots, and to count and submit the results to the Board of Supervisors at the next scheduled Board meeting on March 8, 2011.

FISCAL IMPACT (Continued):

If the assessment ballot has a simple majority protest, the District will remain under financed. No alternative source of financing has been identified to generate the required revenue to continue with full services to the District.

If the assessment ballot has a simple majority in support, the new methodology will begin eliminating the District's deficit that is estimated to be \$25,161 by the end of Fiscal Year 2010-2011. The proposed assessment includes a projected 5-year payback plan to reduce the deficit while maintaining the current level of street lighting services. This plan adds \$5,032 to the amount to be assessed for Fiscal Year 2011-2012. In the following 4 years the deficit will be divided by number of years left in the recovery plan to arrive at that particular year's recovery amount added to the annual assessment.

DISCUSSION:

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. 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 and North McHenry No.1 remains the only district 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.

An approved budget and assessment is currently in place for Fiscal Year 2010-2011. Budgeted expenditures were estimated to be \$11,921; with funding from assessments of \$6,971 this results in a shortfall of approximately \$4,950. However, at the writing of

Public Hearing to Consider Changes in Methodology for Calculating Assessments and to Conduct an Assessment Ballot Procedure in Compliance with California Constitution Article XIII D - Proposition 218, for the North McHenry No.1 Lighting District

this report, expenses are now estimated at \$21,235, bringing the year's shortfall to \$14,264. The additional amount can be attributed to major unexpected expenses incurred replacing wiring thefts (\$6,000) and the cost of the ballot measure (\$3,416) 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 cumulative deficit of -\$25,161 is anticipated for the close of Fiscal Year 2010-2011.

Because the assessment rate is frozen at a fixed amount of \$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 the provision of the current level of service, and ensure sufficient revenues for continued operations and maintenance of the District. In addition, the new methodology needs the flexibility to adjust to favorable or unfavorable changes in expenses.

The proposed new assessment methodology utilizes a formula to calculate the total balance to levy each year to pay for the ongoing expense of the street lighting service.

Total Balance To Levy = Estimated Operating & Maintenance Costs For Current Year
+ Estimated Dry Period Reserve for Next Year
- Fund balance From Previous Year
- Estimated Property Tax Revenue For Current Year

The proposed formula automatically adjusts each year to changes in expenses and fund balances. As a consequence, the total amount to levy, and therefore property assessments, may go up or down.

A weighted method of apportionment that utilizes 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 balance to levy is distributed among the benefiting parcels based upon three factors – land use, EBU, and acreage.

The following are the calculation formulas proposed for use in arriving at each parcel's proportionate benefit and appropriate assessment:

Public Hearing to Consider Changes in Methodology for Calculating Assessments and to Conduct an Assessment Ballot Procedure in Compliance with California Constitution Article XIII D - Proposition 218, for the North McHenry No.1 Lighting District

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

“Property Type Land Use” EBU x Acres or Units = 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:

Sum of All Individual Parcel EBU’s = Total EBU’s

An assessment rate per EBU is established by taking the total balance to levy and dividing that amount by the total number of EBU’s for all parcels:

Total Balance to Levy / Total EBU’s = 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 assessment obligation for the improvements and services:

Levy per EBU x Parcel EBU = Parcel Levy Amount, a.k.a. Assessment

A summary of the results of the application of these formulas can be found on the following page of this report. The tables break out the assessment by property type groups for all 234 parcels within the District. The assessment for each parcel has been rounded up to the nearest even cent for ease in calculating the semi-annual assessment. Additional detailed information by parcel may be found in attachment “A” of this report titled “Proposed Assessment List By Parcel Number”.

The two tables below summarize assessment results using the proposed methodology.

TOTAL EQUIVALENT BENEFIT UNIT BY PROPERTY TYPE - N. McHENRY No.1 LIGHTING DISTRICT					
Property Type - Land Use	EBU	Parcels	Acreage	Total EBU	Assessment
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
Totals:		234	239.095	682.745	\$19,179.30

Parcel assessments were rounded up to the nearest even cent for ease of bi-annual assessment. For example, \$98.07 was rounded up to \$98.08.

Public Hearing to Consider Changes in Methodology for Calculating Assessments and to Conduct an Assessment Ballot Procedure in Compliance with California Constitution Article XIII D - Proposition 218, for the North McHenry No.1 Lighting District

ASSESSMENT SUMMARY PER EQUIVALENT BENEFIT UNIT -- N. McHENRY No.1 LIGHTING DISTRICT	
DESCRIPTION	AMOUNT
District's Annual Operating Expense - Admin, Maintenance, Utilities:	\$14,146.00
5 year Deficit Recovery Plan (\$25,161 / 5 years)	\$5,032.20
Adjustment for Rounding Assessments to Nearest Even Cents	\$1.10
Estimated Funding Required	\$19,179.30
Total Equivalent Benefit Units	682.745
Calculated Assessment Per EBU (Estimated Funding Required/Total EBUs)	\$28.09

Details of the assessments per parcel for the 2011-2012 tax year are located in attachment "A" of this report and in Part IV "C" of the Engineer's Report.

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 an assessment ballot procedure for this proposal.

Proposition 218, approved by California voters in November 1996, requires an assessment ballot procedure and public hearing before a new methodology and 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.

To fulfill the requirements of Proposition 218, an Assessment Ballot Pack was mailed to the District's property owners of record as of the date of the last assessment roll. The Assessment Ballot Pack was mailed on January 13, 2011, more than 45 days in advance of the public hearing. It included a "Notice of Public Hearing", an instruction sheet on how to submit their vote, an Assessment Ballot, and a return envelope addressed to the Clerk of the Board of Supervisors. The pack's materials included information advising them of the ballot procedure, 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 reason and basis upon which the proposed assessment was calculated, and the date, time, and location of the public hearing. It also included information on how to submit their vote and a disclosure statement regarding the effect of a majority protest. An example of the Assessment Ballot Pack, including ballot, can be found in Attachment "B". A "Notice of the Public Hearing" was also published in a local, general circulation, newspaper on February 15,

Public Hearing to Consider Changes in Methodology for Calculating Assessments and to Conduct an Assessment Ballot Procedure in Compliance with California Constitution Article XIII D - Proposition 218, for the North McHenry No.1 Lighting District

2011 and February 22, 2011, Attachment "C". This meets the requirements of the Highway Lighting District Act, Code sections 19051 & 19052.

A tabulation of the ballots cannot be done until the Board of Supervisors concludes the required Public Hearing. The Board of Supervisors must hold the Public Hearing to receive any comments regarding the proposal. Any interested person may present written or oral testimony at the public hearing. At the conclusion of the public hearing, balloting will be closed and the Clerk of the Board of Supervisors will tabulate the results for presentation at the next scheduled meeting on March 8, 2011.

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 to increase assessments fails, the only recourse will be to reduce expenditures by reducing lighting services and turning off streetlights. The Board of Supervisors may act in their capacity as the governing body for the North McHenry No.1 Lighting District and direct Public Works to reduce lighting services. 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, at which time revenues and service costs would be re-evaluated to determine how many lights could be re-energized.

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 A Safe Community, A Healthy Community, and A Well Planned Infrastructure System.

STAFFING IMPACT:

Staffing impact will be minimal and is 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.

ATTACHMENT "A" for Public Hearing on March 1, 2011

Proposed Assessment List By Parcel Number

Proposed Assessment List By Parcel For North McHenry Lighting District As Of 10/01/2010							
Count	APN	Acres	Property Type	EBU	EBU Per Acreage	Assessment	Assessment Rounded Up
1	004-057-003	0.348	Rural, Farm, Agricultural	1.0	0.348	\$9.78	\$9.78
2	004-057-004	0.374	Rural, Farm, Agricultural	1.0	0.374	\$10.49	\$10.50
3	004-057-005	3.293	Rural, Farm, Agricultural	1.0	3.293	\$92.50	\$92.50
4	004-065-016	2.009	Industrial	3.5	7.030	\$197.47	\$197.48
5	004-065-017	1.006	Industrial	3.5	3.520	\$98.86	\$98.86
6	004-065-018	1.007	Industrial	3.5	3.526	\$99.04	\$99.04
7	004-065-019	1.004	Industrial	3.5	3.515	\$98.74	\$98.74
8	004-065-021	1.117	Industrial	3.5	3.908	\$109.78	\$109.78
9	004-065-022	1.038	Industrial	3.5	3.632	\$102.03	\$102.04
10	004-065-023	1.002	Industrial	3.5	3.508	\$98.54	\$98.54
11	004-065-024	1.009	Industrial	3.5	3.533	\$99.24	\$99.24
12	004-065-025	1.007	Industrial	3.5	3.524	\$99.00	\$99.00
13	004-065-026	1.048	Industrial	3.5	3.667	\$103.01	\$103.02
14	004-065-030	2.963	Public Storm Drain Basin	0.4	1.185	\$33.29	\$33.30
15	004-065-031	0.965	Industrial	3.5	3.379	\$94.92	\$94.92
16	004-065-032	2.575	Commercial	3.5	9.011	\$253.13	\$253.14
17	004-094-014	2.348	Industrial	3.5	8.219	\$230.87	\$230.88
18	004-094-015	1.048	Industrial	3.5	3.668	\$103.04	\$103.04
19	004-094-016	1.299	Industrial	3.5	4.546	\$127.69	\$127.70
20	004-094-017	1.534	Industrial	3.5	5.368	\$150.80	\$150.80
21	004-094-018	1.541	Industrial	3.5	5.393	\$151.48	\$151.48
22	004-094-022	1.543	Industrial	3.5	5.402	\$151.74	\$151.74
23	004-094-026	1.604	Industrial	3.5	5.614	\$157.69	\$157.70
24	004-094-027	1.593	Industrial	3.5	5.575	\$156.60	\$156.60
25	004-094-028	1.500	Industrial	3.5	5.249	\$147.43	\$147.44
26	004-094-029	0.849	Vacant Commercial	1.0	0.849	\$23.83	\$23.84
27	004-094-031	2.780	Industrial	3.5	9.731	\$273.34	\$273.34
28	004-094-032	1.514	Industrial	3.5	5.298	\$148.83	\$148.84
29	004-094-033	4.590	Vacant Commercial	1.0	4.590	\$128.94	\$128.94
30	004-094-034	2.199	Industrial	3.5	7.695	\$216.16	\$216.16
31	004-094-035	1.500	Industrial	3.5	5.249	\$147.43	\$147.44
32	004-094-036	1.314	Vacant Commercial	1.0	1.314	\$36.92	\$36.92
33	004-094-037	1.675	Commercial	3.5	5.864	\$164.72	\$164.72
34	004-094-039	2.526	Industrial	3.5	8.840	\$248.32	\$248.32
35	004-094-040	1.143	Vacant Commercial	1.0	1.143	\$32.11	\$32.12
36	004-094-041	1.145	Vacant Commercial	1.0	1.145	\$32.17	\$32.18
37	004-094-042	2.292	Industrial	3.5	8.022	\$225.34	\$225.34
38	004-094-043	2.143	Vacant Commercial	1.0	2.143	\$60.20	\$60.20
39	004-094-044	2.143	Vacant Commercial	1.0	2.143	\$60.19	\$60.20
40	004-095-001	0.057	Industrial	3.5	0.201	\$5.64	\$5.64

Assessment rounded up to nearest even cents, for example \$98.07 rounded up to \$98.08 for ease of bi-annual assessment.

ATTACHMENT "A" for Public Hearing on March 1, 2011

Proposed Assessment List By Parcel Number

Proposed Assessment List By Parcel For North McHenry Lighting District As Of 10/01/2010							
Count	APN	Acres	Property Type	EBU	EBU Per Acreage	Assessment	Assessment Rounded Up
41	004-095-002	0.057	Industrial	3.5	0.201	\$5.64	\$5.64
42	004-095-003	0.029	Industrial	3.5	0.100	\$2.82	\$2.82
43	004-095-004	0.029	Industrial	3.5	0.100	\$2.82	\$2.82
44	004-095-005	0.029	Industrial	3.5	0.100	\$2.82	\$2.82
45	004-095-006	0.057	Industrial	3.5	0.201	\$5.64	\$5.64
46	004-095-007	0.029	Industrial	3.5	0.100	\$2.82	\$2.82
47	004-095-008	0.057	Industrial	3.5	0.201	\$5.64	\$5.64
48	004-095-009	0.057	Industrial	3.5	0.201	\$5.64	\$5.64
49	004-095-010	0.115	Industrial	3.5	0.402	\$11.29	\$11.30
50	004-095-011	1.024	Industrial	3.5	3.585	\$100.70	\$100.70
51	004-097-001	0.055	Industrial	3.5	0.194	\$5.44	\$5.44
52	004-097-002	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
53	004-097-003	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
54	004-097-004	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
55	004-097-005	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
56	004-097-006	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
57	004-097-007	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
58	004-097-008	0.056	Industrial	3.5	0.195	\$5.47	\$5.48
59	004-097-009	0.112	Industrial	3.5	0.391	\$10.98	\$10.98
60	004-097-010	0.112	Industrial	3.5	0.391	\$10.98	\$10.98
61	004-097-011	0.056	Industrial	3.5	0.195	\$5.47	\$5.48
62	004-097-012	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
63	004-097-013	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
64	004-097-014	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
65	004-097-015	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
66	004-097-016	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
67	004-097-017	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
68	004-097-018	0.055	Industrial	3.5	0.194	\$5.44	\$5.44
69	004-097-019	1.670	Industrial	3.5	5.846	\$164.22	\$164.22
70	004-098-001	0.036	Industrial	3.5	0.125	\$3.50	\$3.50
71	004-098-002	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
72	004-098-003	0.041	Industrial	3.5	0.144	\$4.06	\$4.06
73	004-098-004	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
74	004-098-005	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
75	004-098-006	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
76	004-098-007	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
77	004-098-008	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
78	004-098-009	0.047	Industrial	3.5	0.164	\$4.60	\$4.60
79	004-098-010	0.047	Industrial	3.5	0.164	\$4.60	\$4.60
80	004-098-011	0.041	Industrial	3.5	0.145	\$4.06	\$4.06

Assessment rounded up to nearest even cents, for example \$98.07 rounded up to \$98.08 for ease of bi-annual assessment.

ATTACHMENT "A" for Public Hearing on March 1, 2011

Proposed Assessment List By Parcel Number

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Count	APN	Acres	Property Type	EBU	EBU Per Acreage	Assessment	Assessment Rounded Up
81	004-098-012	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
82	004-098-013	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
83	004-098-014	0.062	Industrial	3.5	0.217	\$6.09	\$6.10
84	004-098-015	0.062	Industrial	3.5	0.217	\$6.09	\$6.10
85	004-098-016	0.034	Industrial	3.5	0.121	\$3.39	\$3.40
86	004-098-017	0.034	Industrial	3.5	0.121	\$3.39	\$3.40
87	004-098-018	0.034	Industrial	3.5	0.121	\$3.39	\$3.40
88	004-098-019	0.034	Industrial	3.5	0.121	\$3.39	\$3.40
89	004-098-020	0.033	Industrial	3.5	0.117	\$3.27	\$3.28
90	004-098-021	0.035	Industrial	3.5	0.121	\$3.41	\$3.42
91	004-098-022	0.034	Industrial	3.5	0.121	\$3.39	\$3.40
92	004-098-023	0.034	Industrial	3.5	0.121	\$3.39	\$3.40
93	004-098-024	0.034	Industrial	3.5	0.121	\$3.39	\$3.40
94	004-098-025	0.072	Industrial	3.5	0.251	\$7.04	\$7.04
95	004-098-026	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
96	004-098-027	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
97	004-098-028	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
98	004-098-029	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
99	004-098-030	0.054	Industrial	3.5	0.190	\$5.35	\$5.36
100	004-098-031	0.005	Exempt	0.0	0.000	\$0.00	\$0.00
101	004-098-032	2.214	Industrial	3.5	7.750	\$217.70	\$217.70
102	004-099-001	0.045	Industrial	3.5	0.159	\$4.47	\$4.48
103	004-099-002	0.031	Industrial	3.5	0.109	\$3.07	\$3.08
104	004-099-003	0.031	Industrial	3.5	0.109	\$3.07	\$3.08
105	004-099-004	0.031	Industrial	3.5	0.109	\$3.07	\$3.08
106	004-099-005	0.072	Industrial	3.5	0.252	\$7.07	\$7.08
107	004-099-006	0.040	Industrial	3.5	0.141	\$3.95	\$3.96
108	004-099-007	0.034	Industrial	3.5	0.118	\$3.32	\$3.32
109	004-099-008	0.034	Industrial	3.5	0.118	\$3.32	\$3.32
110	004-099-009	0.034	Industrial	3.5	0.118	\$3.32	\$3.32
111	004-099-010	0.034	Industrial	3.5	0.118	\$3.32	\$3.32
112	004-099-011	0.045	Industrial	3.5	0.157	\$4.41	\$4.42
113	004-099-012	0.593	Industrial	3.5	2.076	\$58.32	\$58.32
114	046-004-019	2.357	Commercial	3.5	8.249	\$231.71	\$231.72
115	046-004-021	1.030	Vacant Commercial	1.0	1.030	\$28.94	\$28.94
116	046-004-023	0.705	Vacant Commercial	1.0	0.705	\$19.80	\$19.80
117	046-004-027	0.692	Commercial	3.5	2.423	\$68.05	\$68.06
118	046-004-028	0.498	Commercial	3.5	1.742	\$48.95	\$48.96
119	046-004-029	0.542	Commercial	3.5	1.897	\$53.29	\$53.30
120	046-004-030	2.774	Commercial	3.5	9.710	\$272.74	\$272.74

Assessment rounded up to nearest even cents, for example \$98.07 rounded up to \$98.08 for ease of bi-annual assessment.

ATTACHMENT "A" for Public Hearing on March 1, 2011

Proposed Assessment List By Parcel Number

Proposed Assessment List By Parcel For North McHenry Lighting District As Of 10/01/2010							
Count	APN	Acres	Property Type	EBU	EBU Per Acreage	Assessment	Assessment Rounded Up
121	046-004-031	0.616	Commercial	3.5	2.155	\$60.55	\$60.56
122	046-004-032	0.539	Vacant Commercial	1.0	0.539	\$15.14	\$15.14
123	046-004-035	0.548	Vacant Commercial	1.0	0.548	\$15.38	\$15.38
124	046-004-036	0.512	Commercial	3.5	1.791	\$50.31	\$50.32
125	046-004-037	1.313	Commercial	3.5	4.595	\$129.06	\$129.06
126	046-004-038	0.510	Vacant Commercial	1.0	0.510	\$14.31	\$14.32
127	046-004-039	0.551	Vacant Commercial	1.0	0.551	\$15.47	\$15.48
128	046-004-041	2.186	Public Storm Drain Basin	0.4	0.874	\$24.56	\$24.56
129	046-004-044	1.493	Commercial	3.5	5.226	\$146.79	\$146.80
130	046-004-045	0.655	Vacant Commercial	1.0	0.655	\$18.39	\$18.40
131	046-004-046	0.655	Vacant Commercial	1.0	0.655	\$18.39	\$18.40
132	046-004-047	0.655	Vacant Commercial	1.0	0.655	\$18.39	\$18.40
133	046-004-048	0.715	Vacant Commercial	1.0	0.715	\$20.09	\$20.10
134	046-004-050	0.579	Vacant Commercial	1.0	0.579	\$16.26	\$16.26
135	046-004-051	0.551	Vacant Commercial	1.0	0.551	\$15.47	\$15.48
136	046-004-052	0.551	Vacant Commercial	1.0	0.551	\$15.47	\$15.48
137	046-004-053	0.551	Commercial	3.5	1.928	\$54.16	\$54.16
138	046-004-054	0.551	Commercial	3.5	1.928	\$54.16	\$54.16
139	046-004-055	0.551	Commercial	3.5	1.928	\$54.15	\$54.16
140	046-004-058	0.551	Vacant Commercial	1.0	0.551	\$15.47	\$15.48
141	046-004-059	0.542	Vacant Commercial	1.0	0.542	\$15.22	\$15.22
142	046-004-060	0.553	Commercial	3.5	1.935	\$54.34	\$54.34
143	046-004-061	3.524	Commercial	3.5	12.335	\$346.50	\$346.50
144	046-004-064	4.644	Industrial	3.5	16.255	\$456.61	\$456.62
145	046-004-065	1.101	Commercial	3.5	3.855	\$108.28	\$108.28
146	046-004-066	0.462	Commercial	3.5	1.617	\$45.41	\$45.42
147	046-004-067	0.472	Commercial	3.5	1.652	\$46.41	\$46.42
148	046-004-068	0.617	Commercial	3.5	2.158	\$60.63	\$60.64
149	046-004-069	1.048	Commercial	3.5	3.668	\$103.04	\$103.04
150	046-004-070	0.476	Commercial	3.5	1.666	\$46.81	\$46.82
151	046-004-071	0.531	Commercial	3.5	1.860	\$52.23	\$52.24
152	046-004-072	0.930	Vacant Commercial	1.0	0.930	\$26.13	\$26.14
153	046-004-073	1.043	Commercial	3.5	3.650	\$102.52	\$102.52
154	046-005-002	0.946	Vacant Commercial	1.0	0.946	\$26.58	\$26.58
155	046-005-003	6.715	Vacant Commercial	1.0	6.715	\$188.63	\$188.64
156	046-005-021	1.083	Commercial	3.5	3.792	\$106.52	\$106.52
157	046-008-001	0.544	Commercial	3.5	1.904	\$53.49	\$53.50
158	046-008-002	0.489	Industrial	3.5	1.712	\$48.09	\$48.10
159	046-008-003	0.501	Industrial	3.5	1.753	\$49.23	\$49.24
160	046-008-004	0.637	Commercial	3.5	2.231	\$62.66	\$62.66

Assessment rounded up to nearest even cents, for example \$98.07 rounded up to \$98.08 for ease of bi-annual assessment.

ATTACHMENT "A" for Public Hearing on March 1, 2011

Proposed Assessment List By Parcel Number

Proposed Assessment List By Parcel For North McHenry Lighting District As Of 10/01/2010							
Count	APN	Acres	Property Type	EBU	EBU Per Acreage	Assessment	Assessment Rounded Up
161	046-008-005	0.467	Commercial	3.5	1.634	\$45.91	\$45.92
162	046-008-008	1.400	Commercial	3.5	4.900	\$137.63	\$137.64
163	046-008-012	0.820	Commercial	3.5	2.871	\$80.64	\$80.64
164	046-008-013	0.605	Commercial	3.5	2.119	\$59.52	\$59.52
165	046-008-017	0.461	Industrial	3.5	1.613	\$45.30	\$45.30
166	046-008-018	0.679	Commercial	3.5	2.375	\$66.72	\$66.72
167	046-008-019	0.780	Industrial	3.5	2.730	\$76.69	\$76.70
168	046-008-020	0.865	Commercial	3.5	3.026	\$85.00	\$85.00
169	046-008-021	0.503	Commercial	3.5	1.761	\$49.45	\$49.46
170	046-008-022	0.461	Commercial	3.5	1.614	\$45.35	\$45.36
171	046-008-023	0.871	Commercial	3.5	3.049	\$85.65	\$85.66
172	046-008-024	1.081	Commercial	3.5	3.785	\$106.32	\$106.32
173	046-009-001	0.825	Public Storm Drain Basin	0.4	0.330	\$9.27	\$9.28
174	046-009-003	0.755	Commercial	3.5	2.644	\$74.26	\$74.26
175	046-009-005	0.541	Industrial	3.5	1.893	\$53.18	\$53.18
176	046-009-006	0.537	Commercial	3.5	1.880	\$52.82	\$52.82
177	046-009-008	2.700	Industrial	3.5	9.451	\$265.47	\$265.48
178	046-009-009	0.234	Industrial	3.5	0.819	\$23.01	\$23.02
179	046-009-010	0.200	Industrial	3.5	0.701	\$19.69	\$19.70
180	046-009-011	0.249	Industrial	3.5	0.872	\$24.48	\$24.48
181	046-009-012	0.300	Industrial	3.5	1.050	\$29.49	\$29.50
182	046-009-013	0.248	Industrial	3.5	0.867	\$24.36	\$24.36
183	046-009-014	0.214	Industrial	3.5	0.749	\$21.05	\$21.06
184	046-010-024	4.553	Vacant Commercial	1.0	4.553	\$127.89	\$127.90
185	046-010-025	1.020	Commercial	3.5	3.569	\$100.26	\$100.26
186	046-010-026	1.019	Commercial	3.5	3.566	\$100.18	\$100.18
187	046-010-027	0.824	Commercial	3.5	2.882	\$80.97	\$80.98
188	046-011-017	4.900	Commercial	3.5	17.149	\$481.70	\$481.70
189	046-011-018	0.502	Industrial	3.5	1.758	\$49.39	\$49.40
190	046-011-019	0.502	Industrial	3.5	1.758	\$49.39	\$49.40
191	046-011-020	0.914	Industrial	3.5	3.198	\$89.84	\$89.84
192	046-011-021	1.277	Commercial	3.5	4.469	\$125.53	\$125.54
193	046-011-022	0.954	Commercial	3.5	3.340	\$93.82	\$93.82
194	046-011-023	1.000	Commercial	3.5	3.499	\$98.28	\$98.28
195	046-011-031	3.537	Commercial	3.5	12.378	\$347.69	\$347.70
196	046-011-044	0.674	Industrial	3.5	2.360	\$66.29	\$66.30
197	046-011-045	0.621	Industrial	3.5	2.172	\$61.01	\$61.02
198	046-011-046	0.590	Industrial	3.5	2.066	\$58.05	\$58.06
199	046-011-047	1.146	Vacant Commercial	1.0	1.146	\$32.18	\$32.18
200	046-011-048	0.620	Vacant Commercial	1.0	0.620	\$17.41	\$17.42

Assessment rounded up to nearest even cents, for example \$98.07 rounded up to \$98.08 for ease of bi-annual assessment.

ATTACHMENT "A" for Public Hearing on March 1, 2011

Proposed Assessment List By Parcel Number

Proposed Assessment List By Parcel For North McHenry Lighting District As Of 10/01/2010							
Count	APN	Acres	Property Type	EBU	EBU Per Acreage	Assessment	Assessment Rounded Up
201	046-011-049	1.278	Industrial	3.5	4.473	\$125.64	\$125.64
202	046-011-050	0.596	Industrial	3.5	2.084	\$58.55	\$58.56
203	046-011-051	0.672	Industrial	3.5	2.353	\$66.10	\$66.10
204	046-011-052	0.679	Industrial	3.5	2.377	\$66.77	\$66.78
205	046-011-053	0.597	Industrial	3.5	2.090	\$58.70	\$58.70
206	046-011-054	1.887	Industrial	3.5	6.606	\$185.57	\$185.58
207	046-011-056	1.836	Industrial	3.5	6.427	\$180.54	\$180.54
208	046-011-057	1.663	Industrial	3.5	5.822	\$163.53	\$163.54
209	046-011-060	1.545	Industrial	3.5	5.409	\$151.93	\$151.94
210	046-011-061	1.404	Industrial	3.5	4.912	\$137.99	\$138.00
211	046-011-062	1.560	Industrial	3.5	5.459	\$153.34	\$153.34
212	046-011-063	1.724	Industrial	3.5	6.034	\$169.51	\$169.52
213	046-011-064	1.493	Commercial	3.5	5.224	\$146.76	\$146.76
214	046-011-065	2.010	Commercial	3.5	7.037	\$197.66	\$197.66
215	046-011-066	0.979	Commercial	3.5	3.427	\$96.27	\$96.28
216	082-006-042	1.805	Commercial	3.5	6.318	\$177.46	\$177.46
217	082-006-043	2.417	Commercial	3.5	8.461	\$237.68	\$237.68
218	082-006-045	1.984	Commercial	3.5	6.944	\$195.07	\$195.08
219	082-006-052	0.794	Commercial	3.5	2.777	\$78.02	\$78.02
220	082-006-053	4.532	Commercial	3.5	15.862	\$445.56	\$445.56
221	082-006-055	5.172	Commercial	3.5	18.101	\$508.45	\$508.46
222	082-006-066	1.241	Vacant Commercial	1.0	1.241	\$34.86	\$34.86
223	082-006-067	2.036	Commercial	3.5	7.124	\$200.12	\$200.12
224	082-006-068	1.635	Commercial	3.5	5.721	\$160.71	\$160.72
225	082-007-007a*	8.020	Commercial	3.5	28.070	\$788.49	\$788.50
226	082-007-007b*	10.030	Rural, Farm, Agricultural	1.0	10.030	\$281.74	\$281.74
227	082-009-020	0.797	Commercial	3.5	2.789	\$78.33	\$78.34
228	082-009-023	1.847	Public School/Congregation	2.2	4.064	\$114.15	\$114.16
229	082-009-024	1.928	Commercial	3.5	6.746	\$189.51	\$189.52
230	082-009-025	1.735	Commercial	3.5	6.072	\$170.55	\$170.56
231	082-009-026	0.325	Public Storm Drain Basin	0.4	0.130	\$3.65	\$3.66
232	082-009-027	0.445	Commercial	3.5	1.556	\$43.71	\$43.72
233	082-009-028	0.813	Commercial	3.5	2.844	\$79.89	\$79.90
234	082-009-029	8.799	Commercial	3.5	30.795	\$865.04	\$865.04
Totals		239.095		719.3	682.745	\$19,178.30	\$19,179.30

APN 082-007-007 "a" & "b" for Fun Works; 2 parcels but only one APN. Parcel "a" is Commercial; parcel "b" is Ag. Assessment rounded up to nearest even cents, for example \$98.07 rounded up to \$98.08 for ease of bi-annual assessment.

110304

BALLOT ENCLOSED



DEPARTMENT OF PUBLIC WORKS
1716 Morgan Road
Modesto, CA 95358

RETURN SERVICE REQUESTED

OUTGOING ENVELOPE
ADDRESSEE LABEL GOES
HERE

Official Ballot Enclosed
Tarjeta de Votación
Oficial Incluida

110304
Stanislaus County Public Works
1716 Morgan Road
Modesto, CA 95358

Clerk of the Board of Supervisors
1010 10th Street, Suite 6700
Modesto CA 95354

North McHenry #1 L.D.
Ballot - Do Not Open

COPY

ASSESSMENT BALLOT
FOR THE NORTH McHENRY No. 1 LIGHTING DISTRICT FISCAL YEAR 2011/2012

TARJETA DE VOTACIÓN DE ASESORÍA
PARA EL DISTRITO DE ALUMBRADO DE McHENRY No. 1 AÑO FISCAL 2011/2012

Attention Landowner / Atención Propetario:

004-065-017
Mrg Group
5260 Jerusalem Ct
Modesto,CA,95356

2011/2012 Assessment
\$98.86 per parcel
Contribución 2011/2012
por terreno

<u>Acreage of Parcel</u>	TIMES	<u>Weighting Factor</u>	EQUAL	<u>Weighted Vote</u>
1.01		3.5		3.520
<u>Acres del Terreno</u>	POR	<u>Factor de Sopesar</u>	ES IGUAL A	<u>Voto Sopesado</u>

This Ballot requires one box to be marked and a signature to be valid. Mark one box only:
Para que este voto sea valido, marque una casilla solamente y firme abajo:

- I/we **SUPPORT** the use of the proposed method for the calculation of the annual assessment and the levy of annual assessments to pay for street lighting services.

APOYO/APOYAMOS el uso del método que se propone para calcular la contribución anual y para recaudar las contribuciones anuales para pagar por los servicios de alumbrado público.

- I/we **PROTEST** the use of the proposed method for the calculation of the annual assessment and the levy of annual assessments to pay for street lighting services.

Me OPONGO/Nos OPONEMOS al uso del método que se propone para calcular la contribución anual y para recaudar las contribuciones anuales para pagar por los servicios de alumbrado público.

The undersigned certifies under penalty of perjury under the laws of the State of California that he/she submits this assessment ballot as owner or as the duly authorized representative of the owner or owners of the above-referenced parcel.

El que a continuación firma, da fe, bajo la pena de perjurio conforme a las leyes del Estado de California, de que deposita esta tarjeta como dueño, o como representante debidamente autorizado por el dueño (o de los dueños) del terreno al que se hace referencia más arriba.

Dated/Fechado: _____

(Signature/Firma)

COPY

(Type or print name and representative capacity, if any.
Escriba a máquina o escriba a mano su nombre y la capacidad representativa, si la hay.)

ASSESSMENT BALLOT INSTRUCTIONS
INSTRUCCIONES PARA LA TARJETA DE VOTACION

Use the enclosed Assessment Ballot to express support for or opposition to the proposed change in methodology for calculating assessments for the North McHenry No. 1 Lighting District and the levy of an annual assessment based upon the proposed new methodology to pay for district services:

Use la Tarjeta de Votación para expresar su apoyo u oposición acerca del uso del método que se propone para calcular la contribución anual y para recaudar las contribuciones anuales para pagar por los servicios de alumbrado público para el Distrito de Alumbrado de North McHenry No. 1:

HOW TO VOTE YOUR ASSESSMENT BALLOT
COMO VOTAR CON LA TARJETA DE VOTACION:

1. Use a pen to mark an "X" in one of the boxes to indicate either your support or protest, and **sign and date the ballot.**

Use un bolígrafo y marque "X" en una de casilla solamente para indicar su apoyo u protesta, y firme e indique la fecha en la Tarjeta.

2. Place the ballot in the enclosed self addressed envelope and seal.

Coloque su Tarjeta de Votación en el sobre incluido y séllelo.

3. Deliver the ballot either by mail or in person by:

La Tarjeta de Votación puede ser enviada por correo o entregada personalmente:

- a. **MAIL DELIVERY:** If by mail, mail with the required postage no later than February 24, 2011. Mailing the ballot later than this date creates a risk that the ballot may not be received in time to be counted.

***POR CORREO:** Si la envía por correo, usted deberá de cubrir los gastos de envío requeridos y enviarla no más tardar del 24 de Febrero del 2011. Si envía su Tarjeta de Votación después de la fecha indicada, corre el riesgo que no sea recibida a tiempo para ser contada.*

- b. **PERSONAL DELIVERY:** If in person, deliver to the Clerk of the Board of Supervisors at any time prior to 9:00 a.m. on Tuesday, March 1, 2011, at 1010 10th St., Sixth Floor, Modesto, California, or at the hearing itself at 9:05 a.m. on March 1, 2011, located in the Joint Chambers in the basement of the County/City Administration Building at the same address listed above.

ENTREGAR PERSONALMENTE: Si entrega su Tarjeta de Votación personalmente, entréguela al Secretario de la Junta de Supervisores (Clerk of the Board of Supervisors) cualquier día u hora antes de las 9:00 a.m. el Martes, 1 de Marzo del 2011, en el edificio Administrativo del Condado y de la Ciudad, 1010 10th Street, Piso 6, Oficina #6700, Modesto, California, o puede entregarla durante la audiencia, a las 9:05 a.m. el 1 de Marzo del 2011, en la Cámara de la Junta localizada en el sótano del edificio Administrativo del Condado y Ciudad en la misma dirección ya mencionada.

Regardless of which method of delivery you use, and in order for your vote to be counted, the assessment ballot must be received prior to the close of the public hearing on Tuesday, March 1, 2011. After an assessment ballot is submitted, it may be changed or withdrawn prior to the conclusion of the public testimony at the hearing on the proposed increase in assessment by presenting identification with a picture to the Clerk of the Board of Supervisors or a County staff member designated at the start of the public hearing. If you mistakenly mark, tear, or deface the Assessment Ballot, write, "spoiled" across the face of the ballot and return it to the Clerk of the Board of Supervisors and another Assessment Ballot will be issued to you.

Cual sea el método que escoja usar para entregar su tarjeta de votación, tenga presente que para que su voto sea contado, es muy importante que se reciba antes de la clausura de la audiencia pública el Martes, 1 de Marzo del 2011. Después de entregar la tarjeta, usted podrá modificarla o retirarla con tal de hacerlo antes de concluirse las declaraciones públicas que se darán en la audiencia tocante al aumento contributivo que se propone. Para hacerlo, presente su identificación con foto ante el Secretario de la Junta de Supervisores o a un miembro del personal del Condado (designado al principio de la audiencia pública). Si se equivoca al sellar su Tarjeta, o se rompe o desfigura, escriba la palabra SPOILED (en ingles significa ARRUINADA) sobre la Tarjeta y entréguela al Secretario de la Junta de Supervisores. Se le extenderá otra.

COUNTY OF STANISLAUS



NOTICE OF PUBLIC HEARING, ASSESSMENT BALLOT PROCEDURE, AND BALLOT REGARDING PROPOSED CHANGES IN THE METHODOLOGY FOR CALCULATING ASSESSMENTS AND THE LEVY OF AN ANNUAL ASSESSMENT FOR THE NORTH McHENRY No. 1 LIGHTING DISTRICT TO PROVIDE FUNDING FOR MAINTENANCE AND OPERATION OF STREET LIGHTING

You Are Hereby Notified, pursuant to Government Code Section 53753 (b), that the Board of Supervisors of the County of Stanislaus has set a public hearing regarding proposed changes in the methodology for calculating assessments for the North McHenry No. 1 Lighting District and the levy of a proposed assessment for Fiscal Year 2011/2012. The hearing is set for 9:05 a.m., or as soon thereafter as the matter may be heard, on March 1, 2011, located in the Joint Chambers in the basement of the County/City Administration Building, 1010 10th Street, Modesto, California.

PROPOSAL

The proposal being considered is a change in the methodology for calculating the annual assessment to pay for the operation and maintenance of the District's lighting services. The proposal includes the adoption of a method for calculating the Districts total amount of annual assessment as follows:

District's Total Annual Assessment = Estimated Operating, Maintenance, & Administrative Costs For Current Year (+ **plus**) Operational Reserve (- **minus**) Fund Balance From Previous Year (- **minus**) Estimated Property Tax Revenue For Current Year.

Equivalent Benefit Unit (EBU): Each parcel may have a different assessment levied upon them due to their EBU. This is a value ranging from 0.25 to 3.5 that represents the degree of special benefit that each property type receives from the services provided by the Lighting District. Some examples of property type include: developed commercial/industrial, vacant, and residential.

Individual Parcel's Total EBU's = Parcel's EBU (**x times**) Parcel's Acreage.

Assessment Rate Per EBU = District's Total Assessment (**/ divided by**) Total EBU's for all Parcels.

Individual Parcel Assessment = Assessment Rate Per EBU (**x times**) Individual Parcel's Total EBU's.

REASON FOR PROPOSED ASSESSMENT

The express purpose of the assessment is to provide a continued source of funding for services provided by the District. Use of the proposed method will allow annual assessments to increase or decrease as needed to provide funds to cover operating and maintenance costs. If operation and maintenance costs are less than expected, the District's fund balance will be carried forward to reduce the amount needed to be collected in the next year.

Out of 27 County Lighting Districts, the North McHenry No. 1 Lighting District remains the only one that has not approved a formula that adjusts annually to changes in expenses and the District has continued under its original assessment methodology of a fixed amount, per parcel basis. Because the District's **current assessment rate is frozen at \$30.44 per parcel**, annual revenue from assessments is limited to \$6,971. Consequently, the District's annual deficit continues to grow as expenditures, which are not frozen, surpass revenue. The District's deficit has grown from \$1,121 in Fiscal Year 2006/2007 to \$10,897 for Fiscal Year 2009/2010. 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.

AMOUNT OF PROPOSED ASSESSMENT

If the District's landowners approve the proposed method of calculating assessments and levy of assessments as set forth above, **the District's Total Annual Assessment chargeable to the entire District for the 2011-2012 tax year is \$19,178.00.** Total operating, maintenance and administrative costs budgeted are \$14,146. An additional \$5,032 is budgeted to begin recovering the negative fund balance and rebuild and maintain an operational reserve. It is estimated that it will take 5 years to fully recover the deficit. Using the above formulas the annual assessment rate per EBU will be \$28.09. **The total amount of assessment that would be levied against your parcel for the 2011-2012 tax year is listed in the upper right hand box of your ballot which is included with this notification.** The middle box of your ballot also lists your parcels: Acreage, Vote Weighing Factor (same as your parcel EBU which is based upon property type), and Weighted Vote (same as your parcel's total EBUs which equals your parcel acreage multiplied by your parcel EBU).

EFFECT AND DURATION OF APPROVAL OR DISAPPROVAL

If approved, the proposed method would be used to calculate the annual assessment to be levied against your property to pay for the District's services. The use of the method would continue indefinitely. The annual assessment for your parcel may increase or decrease from year to year, depending on the amount of money needed to pay for operation and maintenance costs. If the proposed method is not approved, expenditures will have to be reduced by curtailing lighting services and turning off streetlights. There are currently 79 streetlights within the District. Up to 60% (47 streetlights), may have to be turned off until the District's deficit is recovered.

BASIS FOR ASSESSMENT

Assessments calculated using the proposed method are proportional to the special benefit derived by each identified parcel in relationship to all of the cost of the service being provided by the District. An explanation of costs is also contained in the Engineer's Report, which is available at the Stanislaus County Department of Public Works.

ASSESSMENT BALLOT INSTRUCTIONS

Use the enclosed Assessment Ballot to express support for or opposition to the proposed method for calculating and levying assessments. You will receive a separate ballot for each parcel you own within the District.

How To Vote Your Assessment Ballot

1. Use a pen to mark an "X" in one of the boxes to indicate either your support or protest, and sign and date the ballot certification.
2. Place the ballot in the enclosed self addressed envelope and seal.
3. Deliver the ballot either by mail or in person by:

Mail Delivery: If by mail, mail with the required postage no later than February 24, 2011. Mailing later than this deadline creates a risk that the ballot may not be received in time to be counted.

Personal Delivery: If in person, deliver to the Clerk of the Board of Supervisors at any time prior to 9:00 a.m. on Tuesday, March 1, 2011, at 1010 10th Street, Sixth Floor, Modesto, California, or at the hearing itself at 9:05 a.m. on March 1, 2011, located in the Joint Chambers in the basement of the County/City Administration Building, 1010 10th Street, Modesto, California.

Regardless of which method of delivery is used, in order to be counted, the Assessment Ballot must be received prior to the close of the public hearing on Tuesday, March 1, 2011. After an Assessment Ballot is submitted, it may be changed or withdrawn prior to the conclusion of the public testimony at the hearing on the proposed increase in assessment by presenting identification with a picture to the Clerk of the Board of Supervisors or a county staff member designated at the start of the public hearing. If you wrongly stamp, tear or deface the Assessment Ballot, write spoiled across the face of the ballot and return it to the Clerk of the Board of Supervisors and another Assessment Ballot will be issued to you.

MULTIPLE OWNERS OF ONE PARCEL

If there is more than one record owner of the identified parcel, the owners may either submit (a) one Assessment Ballot for all the owners of that parcel or (b) one Assessment Ballot from each of the record owners, in which case, each record owner's ballot will be weighted in proportion to that owner's percentage of ownership. If each record owner wants to submit an individual ballot, return the enclosed Assessment Ballot along with a list of names and addresses of all the record owners and each owner's percentage of ownership in the parcel. Separate Assessment Ballots will be issued to each record owner, who will be individually responsible for submitting his or her ballot.

If title to property is held wholly or partly by a single legal entity (such as a corporation, partnership or trust), that entity may submit only one Assessment Ballot; the separate owners of that entity may not submit separate ballots.

PUBLIC HEARING & BALLOT TABULATION

At the public hearing on the proposal, the Board of Supervisors will consider all objections or protests, if any, to the proposal. Any interested person may present written or oral testimony at the public hearing. After conclusion of the public hearing, the submitted Assessment Ballots will be tabulated to determine if a majority protest exists, and the results posted by the Clerk of the Board of Supervisors. Neither individuals nor groups will be permitted to oversee the tabulation of Assessment Ballots, however, all Assessment Ballots submitted are public information and subject to inspection by request under the Public Records Act.

PROTESTS

The proposal will not be approved if there is a majority protest. A majority protest exists if a simple majority of Assessment Ballots submitted are opposed to the proposal. The Assessment Ballots are weighted according to the proportional financial obligation of the affected property.

In addition to the Assessment Ballots in favor of or in opposition to the proposal, the Board of Supervisors also will consider any other protests to the proposed assessments at the public hearing. Any protest about the validity of the assessment or the regularity or sufficiency of the proceedings shall be in writing and shall clearly and specifically set forth the alleged irregularity or defect. Any grounds of protest not stated in a written protest filed prior to the close of the public hearing shall be deemed waived.

The Board of Supervisors retains all authority conferred by law, including the extent of services to be provided, and in the amount of the assessment (including the amounts of any individual assessments) provided, however, that the assessment shall not be increased beyond that specified by this notice without a new notice and proceedings in compliance with all laws.

ADDITIONAL INFORMATION

For further information, contact Mike Wilson at (209) 525-4190, or the Department of Public Works 525-4130, located at 1716 Morgan Road, Modesto, California 95358.

CONDADO DE STANISLAUS



AVISO PARA AUDIENCIA PUBLICA, PROCEDIMIENTO PARA VOTAR Y TARJETA DE VOTACION PARA CAMBIAR EL METODO PARA CALCULAR LA ASESORIA CON RESPECTO A LA CONTRIBUCION ANUAL PARA PAGAR POR LOS COSTOS ASOCIADOS PARA EL MANTENIMIENTO Y OPERACIONES DE ALUMBRADO PARA LAS CALLES PARA EL DISTRITO DE ALUMBRADO DE NORTH MCHENRY No. 1

Por medio de la presente y conforme a la Sección 53753(b) del código Gubernamental, se le notifica de que la Junta de Supervisores del Condado de Stanislaus ha fijado fecha para convocar a una audiencia pública para cambiar el método para calcular la asesoría y de recaudar las contribuciones del año fiscal 2011/2012 para el Distrito de Alumbrado de North McHenry No. 1. La fecha y la hora prevista para la audiencia es el 1 de Marzo del 2011 a las 9:05 a.m., en la Cámara de Junta de Supervisores localizado en el sótano del edificio administrativo, Calle 1010 10th, Modesto, California.

LA PROPUESTA

La propuesta que se esta considerando es un cambio en el método para calcular las contribuciones anuales para recaudar los fondos para pagar por los servicios del alumbrado público para el Distrito de Alumbrado de North McHenry No. 1. La propuesta incluye la adopción de un nuevo método para calcular el monto de la contribución anual, para el asesoramiento de la siguiente manera:

Asesoramiento Anual del Distrito = El Costo Estimado para la Operación, la Manutención y la Administración para el Año en Corriente (+ más) Reservas Operacionales (- menos) Saldo del Balance del Año Anterior (- menos) Ingresos de los Impuestos Estimados de la Propiedad para el Año en Corriente.

Unidad de Beneficio Equivalente (E.B.U.): Cada parcela puede tener diferente evaluación asesorada debido al tamaño del lote y/o tipo. Es un valor que varía de 0.25 a 3.5, el cual representa el grado de beneficio especial que cada tipo de propiedad recibe de parte de los servicios suministrados por el Distrito de Alumbrado. Algunos ejemplos del tipo de propiedad incluyen: comercial/industrial desarrollado, vacante, y residencial.

El Total de E.B.U.'s de la Parcela Individual = El E.B.U. de la parcela (X por) el tamaño en acres de la parcela.

Asesoramiento por E.B.U. = Asesoramiento Total del Distrito (/ dividido por) el E.B.U. total, por todas las parcelas.

Asesoramiento por Parcela = Asesoramiento por E.B.U. (X por) el total de E.B.U.'s por Parcela Individual.

EL MOTIVO POR EL ASESORAMIENTO

El objetivo explícito de esta propuesta es de poder mantener los fondos necesarios para mantener los servicios suministrados por el Distrito. El uso del método propuesto permitirá aumentar o disminuir la contribución anual automáticamente según se necesiten fondos para cubrir los gastos operativos y de mantenimiento. Si los costos de operación y mantenimiento son menos de lo que se han estimado, el sobro de los fondos se mueven para el año siguiente reduciendo su contribución para ese nuevo año.

De los 27 Distritos de Alumbrado del Condado, el Distrito de North McHenry No. 1 permanece siendo el único que no ha aprobado una fórmula que se ajusta anualmente a cambios en gastos y el Distrito ha continuado bajo su método de asesoramiento original de una cantidad fija, basado por parcela. Debido a que **el asesoramiento actual del Distrito este congelado para que no aumente más alto que \$30.44 anualmente por parcela**, el límite del monto anual no puede sobrepasar más de \$6,971 por año. Debido a esto, el balance del Distrito continúa aumentando negativamente en sus gastos, los cuales no están actualmente congelados, pero sobrepasan las entradas de las contribuciones. El déficit del Distrito ha aumentado de \$1,121 en el año fiscal 2006/2007 hasta \$10,897 en el año fiscal 2009/2010. La necesidad de aumentar el monto de la contribución, además de cambiar el método de calcular el asesoramiento es imperativo, para cubrir los gastos adecuadamente y continuar el nivel de los servicios que actualmente se disfrutan, además de asegurarse de que hayan suficientes fondos para cubrir todos los gastos operativos y de mantenimiento del Distrito.

EL MONTO DE LA CONTRIBUCIÓN

Si los propietarios aprueban el método para calcular la contribución anual y la imposición del asesoramiento de las contribuciones anuales según lo expuesto en los párrafos anteriores, **el monto total que se le asesorara y se le cargara a la cuenta del Distrito para el año fiscal 2011-2012 sería por el monto de \$19,178**. El costo para operar, mantener y administrar está estimado por \$14,146. Un monto adicional por \$5,032 es necesario para recuperar un balance negativo (déficit) y para crear y mantener una reserva operacional. Se estima que se tomaran 5 años para recuperar el déficit que existe. Utilizando la formula mencionada el asesoramiento anual por E.B.U. sería por \$28.09. **El monto total de la contribución que sería impuesta contra cada parcela/lote por los años fiscales 2011-2012 la conseguirá en la cajita que se encuentra en la parte de arriba a la mano derecha de la tarjeta de votación, la cual está incluida con esta notificación**. La cajita del medio de la tarjeta encontrara la siguiente información de su parcela: el tamaño en acres, el Factor del Peso del Vote (lo mismo de su E.B.U. de la parcela que se baso en el tipo de clasificación de la propiedad), el Peso Valorado del Vote (lo mismo del tamaño de su parcela en acres multiplicado por el E.B.U.).

EFFECTO Y DURACIÓN DE LA APROBACIÓN O DESAPROBACIÓN

Una vez aprobada, el método será utilizado para calcular el monto anual que se le asesorara a su propiedad para pagar los servicios del Distrito. El uso del método continuará indefinidamente. El asesoramiento anual para su parcela/lote puede aumentar o disminuir de año al año, dependiendo de la cantidad de dinero que se necesita para pagar el costo de operación y de mantenimiento. Si el método propuesto no es aprobado, los costos tendrán que ser rebajados por medio de la reducción o eliminación de las luces en las calles. Ahorita se consiguen 79 luces en las calles dentro del Distrito. Si el Distrito no recupera los gastos que hasta ahora ha incurrido, se estima que el 60% (47 luces) se apagaran.

BASE PARA LA IMPOSICIÓN DE LA CONTRIBUCIÓN

Las contribuciones que se calcularon usando el nuevo método son proporcionales al provecho especial que cada parcela identificada por su tipo de uso, saque con relación a todo el costo del servicio suministrado por el Distrito. El Informe de Ingeniero lleva una explicación detallada del costo y está disponible en el Departamento de Obras Públicas.

INSTRUCCIONES PARA VOTAR

Use la Tarjeta de Votación que acompaña la presente para votar a favor o en contra del propuesto uso del método para calcular e imponer contribuciones para pagar por los servicios:

Como Votar Con Su Tarjeta de Votación

1. Con una pluma escriba una "X" en una de las casillas para así indicar su apoyo u oposición. Después, firme y ponga la fecha sobre las rayas correspondientes que se encuentran más abajo de la atestación.
2. Meta la Tarjeta de Votación en el sobre que ya trae la dirección del destinatario y séllelo.
3. Puede mandar la Tarjeta de Votación por vuelta de correo o entregarla personalmente.

Si elige mandarla por correo, asegúrese que lleve suficiente franqueo y que salga el 24 de Febrero del 2011 a más tardar. Si la pone después de esta fecha, corre riesgo de que su Tarjeta de Votación no llegue a tiempo para ser contada.

Si elige entregarla personalmente, llévela al Secretario de la Junta de Supervisores (Clerk of the Board of Supervisors) a su conveniencia, con tal que sea antes de las 9:00 de la mañana el Martes, 1 de Marzo del 2011, Calle 1010 10th, Piso 6, Oficina #6700, Modesto, California, o si no tráigala para entregarla en la propia audiencia, a las 9:05 de la mañana el 1 de Marzo del 2011, en la Cámara de la Junta de Supervisores localizado en el sótano en el edificio administrativo en Calle 1010 10th, Modesto, California.

Sea cual sea el método que elija para entregar su Tarjeta de Votación, tenga presente que para que sea contada será preciso que se reciba antes de las clausura de la audiencia pública que se llevara a cabo el día Martes, 1 de Marzo del 2011. Después de entregar la Tarjeta, uno podrá modificar o retirarla con tal de hacerlo antes de concluirse las declaraciones públicas que se darán en la audiencia tocante el aumento contributivo que se propone. Para hacerlo, presente su identificación con foto ante del Secretario de la Junta de Supervisores (Clerk of the Board of Supervisors). Si se equivoca al sellar su Tarjeta de Votación, o se le rompe o desfigura, escriba las palabra SPOILED (en ingles significa ARRUINADA) sobre su Tarjeta y devuélvasela al Secretario de la Junta de Supervisores. Se le extenderá otra.

PARCELAS QUE TENGAN MÁS DE UN DUEÑO

Si el registro de la propiedad indica que cierta parcela identificado tiene más de un titular, los titulares podrán o (a) presentar una sola Tarjeta de Votación en nombre de todos los que sean dueños de esa propiedad o (b) cada titular podrá presentar su propia Tarjeta aunque, siendo así, significa que a la Tarjeta de cada titular se le asignara un peso o valor que será en proporción al porcentaje que le pertenezca a dicho titular. En aquellos casos en que cada titular quiera presentar Tarjeta de Votación individual, lo que habrá que hacer es devolver la Tarjeta, acompañada esta de una lista con los nombres y las direcciones de todos los titulares de la parcela/lote, señalando además el porcentaje de la parcela que sea de cada titular. Se le extenderá Tarjeta propia a cada titular, cada uno de los cuales será responsable por presentar la suya.

Si una entidad jurídica (como, por ejemplo, corporación, sociedad civil o consorcio) es titular de una propiedad enteramente o en parte, dicha entidad no podrá presentar sino una sola Tarjeta de Votación; los distintos titulares no podrán presentar Tarjetas por separado.

AUDIENCIA PÚBLICA Y CONTAR LAS TARJETAS DE VOTACIÓN

Durante la audiencia pública sobre la propuesta, la Junta de Supervisores dará consideración a cualquier objeción o protesta que se haga. Cualquier persona interesada podrá declarar oralmente o por escrito durante la audiencia. Después de que concluya esta, se contarán las Tarjetas de Votación para determinar si existe una mayoría y los resultados serán anunciados por el Secretario de la Junta de Supervisores. No se permitirá que ningún individuo o grupo fiscalice el recuento de las Tarjetas de Votación pero toda Tarjeta depositada constituirá información pública y será supeditado a inspección, por petición y conforme la Ley de Registros Públicos.

PROTESTA

No se impondrá la propuesta si una mayoría se opone. Para que exista una oposición mayoritaria basta con que una simple mayoría de las Tarjetas de Votación presentadas se oponga a la propuesta. El peso que se le dé a cada Tarjeta será en proporción a la obligación financiera de la propiedad afectada.

Además de las Tarjetas de Votación a favor o en contra de la propuesta, la Junta de Supervisores, durante la audiencia pública, tomara en cuenta cualquier otro punto de vista que se oponga a las contribuciones. Cualquier oposición a la validez de los asesoramientos, o en cuanto a cualquier anomalía en los procedimientos, o la suficiencia de estos, habrá que hacerse por escrito y tendrá que exponer clara y concretamente la anomalía o defecto que se alega. Todo punto de vista en oposición que no se haya presentado por escrito antes de clausurar la audiencia pública será considerado como una renuncia al derecho de hacerlo.

La Junta de Supervisores retiene toda la autoridad que la ley le concede, inclusive la autoridad para modificar los servicios que se proveerán, y el monto de la contribución (inclusivo el monto de toda contribución individual), siempre y cuando no aumente el monto de la contribución más allá de lo que el presente aviso especifica sin avisar de nuevo o llevar a cabo nuevos procedimientos en cumplimiento de todas las leyes.

INFORMACIÓN ADICIONAL

Si quiere hacer alguna pregunta por favor llame al Sr. Mike Wilson, al (209) 525-4190 o al Departamento de Obras Públicas al 525-4130, localizado en el 1716 Morgan Road, Modesto, California.

**NORTH McHENRY LIGHTING DISTRICT
REVISED ENGINEERS REPORT**

**Prepared for Prop218 Ballot Procedure
Prepared January 2011**

FISCAL YEAR 2011-2012

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

TABLE OF CONTENTS

ENGINEER'S REPORT AFFIDAVIT	3
INTRODUCTION	4
PART I – PLANS AND SPECIFICATIONS	5
A. Description of the Lighting District	5
B. Description of Improvements and Services	5
PART II – COST ESTIMATE FISCAL YEAR 2011-2012	5
PART III – PROPOSED METHOD OF APPORTIONMENT	6
A. Special / General Benefit Analysis	6
B. Proposed Assessment Methodology	6
C. Proposed Assessment Formulas	8
PART IV – PROPOSED BUDGET & ASSESSMENTS	9
A. Proposed Budget FY2011-2012	9
B. Proposed Assessment Summary	10
C. Proposed Assessment List By Parcel Number	10-16
APPENDIX – DEFINITIONS	
EXHIBIT A – BOUNDARY MAP AND LEGAL DESCRIPTION	
EXHIBIT B – ASSESSOR MAPS	

ENGINEER'S REPORT AFFIDAVIT

County of Stanislaus, State of California

North McHenry Lighting District

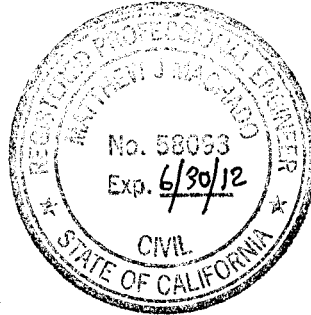
This report describes the district and all relevant zones therein including the proposed budget(s), parcels and assessments to be levied for the fiscal year 2011-2012. Reference is hereby made to the Stanislaus County Assessor's maps for a detailed description of the lines and dimensions of parcels within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

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

Dated this 7TH day of FEBRUARY, 2011



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

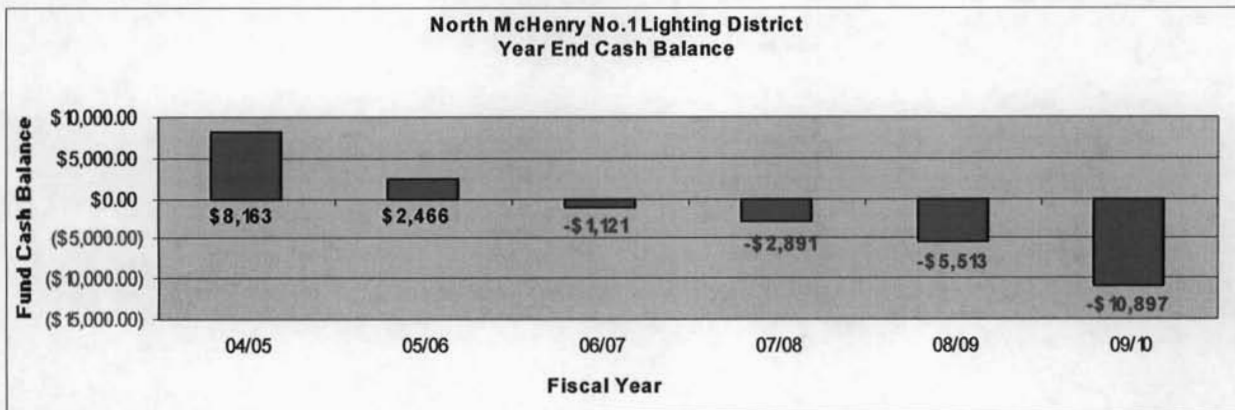


**NORTH McHENRY LIGHTING DISTRICT
REVISED ENGINEER'S REPORT
Prepared for Prop218 Ballot Procedure
Report Prepared January 2011**

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. Budgeted 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 cumulative deficit of -\$25,161 is now anticipated for the close of fiscal year 2010-2011. Previous 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, annual 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; continue to provide the current level of service while ensuring sufficient revenues for continued operations and maintenance; and to begin reducing the District's deficit. In addition the new methodology needs the flexibility to adjust to favorable or unfavorable changes in expenses.

A new assessment methodology and increased assessment must be approved by the District's property owners through a ballot procedure and public hearing pursuant to Proposition 218, and both must be 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, 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 \$25,161 by the end of FY2010-2011.

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

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 its 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:

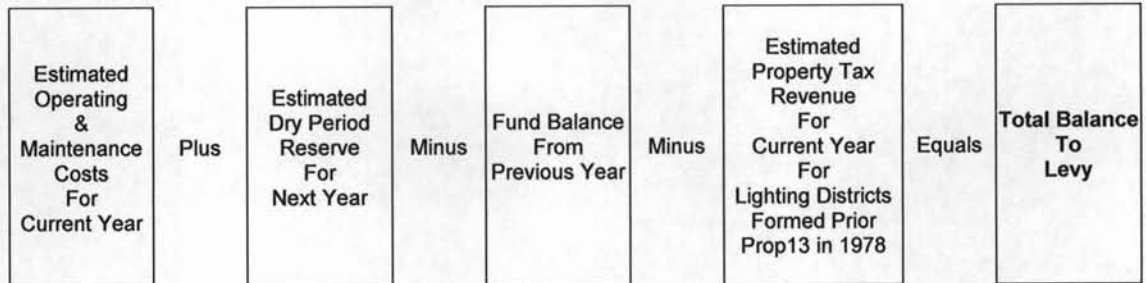
Each parcel within the Lighting District has a current Land Use Classification designated by the County Assessor's Office. This Land Use Classification is converted into one of the "Property Type – Land Use" categories listed in the table below. A description of "Property Type – Land Use" categories 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.

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

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

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

PART IV- PROPOSED ASSESSMENTS

B. Proposed Assessment Summary

TOTAL EQUIVALENT BENEFIT UNIT BY PROPERTY TYPE - N. McHENRY #1 LIGHTING DISTRICT					
Property Type - Land Use	EBU	Parcels	Acreage	Total EBU	Assessment*
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
	0.75	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
Totals:		234	239.095	682.745	\$19,179.30

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

ASSESSMENT PER EQUIVALENT BENEFIT UNIT -- N. McHENRY #1 LIGHTING DISTRICT	
DESCRIPTION	AMOUNT
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 Number

The Assessment List By Parcel Number beginning on page 11 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.

PART IV – PROPOSED BUDGET & ASSESSMENTS

C. Proposed Assessment List By Parcel Number

Proposed Assessment List By Parcel For North McHenry Lighting District As Of 10/01/2010							
Count	APN	Acres	Property Type	EBU	EBU Per Acreage	Assessment	Assessment Rounded Up
1	004-057-003	0.348	Rural, Farm, Agricultural	1.0	0.348	\$9.78	\$9.78
2	004-057-004	0.374	Rural, Farm, Agricultural	1.0	0.374	\$10.49	\$10.50
3	004-057-005	3.293	Rural, Farm, Agricultural	1.0	3.293	\$92.50	\$92.50
4	004-065-016	2.009	Industrial	3.5	7.030	\$197.47	\$197.48
5	004-065-017	1.006	Industrial	3.5	3.520	\$98.86	\$98.86
6	004-065-018	1.007	Industrial	3.5	3.526	\$99.04	\$99.04
7	004-065-019	1.004	Industrial	3.5	3.515	\$98.74	\$98.74
8	004-065-021	1.117	Industrial	3.5	3.908	\$109.78	\$109.78
9	004-065-022	1.038	Industrial	3.5	3.632	\$102.03	\$102.04
10	004-065-023	1.002	Industrial	3.5	3.508	\$98.54	\$98.54
11	004-065-024	1.009	Industrial	3.5	3.533	\$99.24	\$99.24
12	004-065-025	1.007	Industrial	3.5	3.524	\$99.00	\$99.00
13	004-065-026	1.048	Industrial	3.5	3.667	\$103.01	\$103.02
14	004-065-030	2.963	Public Storm Drain Basin	0.4	1.185	\$33.29	\$33.30
15	004-065-031	0.965	Industrial	3.5	3.379	\$94.92	\$94.92
16	004-065-032	2.575	Commercial	3.5	9.011	\$253.13	\$253.14
17	004-094-014	2.348	Industrial	3.5	8.219	\$230.87	\$230.88
18	004-094-015	1.048	Industrial	3.5	3.668	\$103.04	\$103.04
19	004-094-016	1.299	Industrial	3.5	4.546	\$127.69	\$127.70
20	004-094-017	1.534	Industrial	3.5	5.368	\$150.80	\$150.80
21	004-094-018	1.541	Industrial	3.5	5.393	\$151.48	\$151.48
22	004-094-022	1.543	Industrial	3.5	5.402	\$151.74	\$151.74
23	004-094-026	1.604	Industrial	3.5	5.614	\$157.69	\$157.70
24	004-094-027	1.593	Industrial	3.5	5.575	\$156.60	\$156.60
25	004-094-028	1.500	Industrial	3.5	5.249	\$147.43	\$147.44
26	004-094-029	0.849	Vacant Commercial	1.0	0.849	\$23.83	\$23.84
27	004-094-031	2.780	Industrial	3.5	9.731	\$273.34	\$273.34
28	004-094-032	1.514	Industrial	3.5	5.298	\$148.83	\$148.84
29	004-094-033	4.590	Vacant Commercial	1.0	4.590	\$128.94	\$128.94
30	004-094-034	2.199	Industrial	3.5	7.695	\$216.16	\$216.16
31	004-094-035	1.500	Industrial	3.5	5.249	\$147.43	\$147.44
32	004-094-036	1.314	Vacant Commercial	1.0	1.314	\$36.92	\$36.92
33	004-094-037	1.675	Commercial	3.5	5.864	\$164.72	\$164.72
34	004-094-039	2.526	Industrial	3.5	8.840	\$248.32	\$248.32
35	004-094-040	1.143	Vacant Commercial	1.0	1.143	\$32.11	\$32.12
36	004-094-041	1.145	Vacant Commercial	1.0	1.145	\$32.17	\$32.18
37	004-094-042	2.292	Industrial	3.5	8.022	\$225.34	\$225.34
38	004-094-043	2.143	Vacant Commercial	1.0	2.143	\$60.20	\$60.20
39	004-094-044	2.143	Vacant Commercial	1.0	2.143	\$60.19	\$60.20
40	004-095-001	0.057	Industrial	3.5	0.201	\$5.64	\$5.64

Assessment rounded up to nearest even cents, for example \$98.07 rounded up to \$98.08 for ease of bi-annual assessment.

PART IV – PROPOSED BUDGET & ASSESSMENTS

C. Proposed Assessment List By Parcel Number

Proposed Assessment List By Parcel For North McHenry Lighting District As Of 10/01/2010							
Count	APN	Acres	Property Type	EBU	EBU Per Acreage	Assessment	Assessment Rounded Up
41	004-095-002	0.057	Industrial	3.5	0.201	\$5.64	\$5.64
42	004-095-003	0.029	Industrial	3.5	0.100	\$2.82	\$2.82
43	004-095-004	0.029	Industrial	3.5	0.100	\$2.82	\$2.82
44	004-095-005	0.029	Industrial	3.5	0.100	\$2.82	\$2.82
45	004-095-006	0.057	Industrial	3.5	0.201	\$5.64	\$5.64
46	004-095-007	0.029	Industrial	3.5	0.100	\$2.82	\$2.82
47	004-095-008	0.057	Industrial	3.5	0.201	\$5.64	\$5.64
48	004-095-009	0.057	Industrial	3.5	0.201	\$5.64	\$5.64
49	004-095-010	0.115	Industrial	3.5	0.402	\$11.29	\$11.30
50	004-095-011	1.024	Industrial	3.5	3.585	\$100.70	\$100.70
51	004-097-001	0.055	Industrial	3.5	0.194	\$5.44	\$5.44
52	004-097-002	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
53	004-097-003	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
54	004-097-004	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
55	004-097-005	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
56	004-097-006	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
57	004-097-007	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
58	004-097-008	0.056	Industrial	3.5	0.195	\$5.47	\$5.48
59	004-097-009	0.112	Industrial	3.5	0.391	\$10.98	\$10.98
60	004-097-010	0.112	Industrial	3.5	0.391	\$10.98	\$10.98
61	004-097-011	0.056	Industrial	3.5	0.195	\$5.47	\$5.48
62	004-097-012	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
63	004-097-013	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
64	004-097-014	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
65	004-097-015	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
66	004-097-016	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
67	004-097-017	0.027	Industrial	3.5	0.096	\$2.70	\$2.70
68	004-097-018	0.055	Industrial	3.5	0.194	\$5.44	\$5.44
69	004-097-019	1.670	Industrial	3.5	5.846	\$164.22	\$164.22
70	004-098-001	0.036	Industrial	3.5	0.125	\$3.50	\$3.50
71	004-098-002	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
72	004-098-003	0.041	Industrial	3.5	0.144	\$4.06	\$4.06
73	004-098-004	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
74	004-098-005	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
75	004-098-006	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
76	004-098-007	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
77	004-098-008	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
78	004-098-009	0.047	Industrial	3.5	0.164	\$4.60	\$4.60
79	004-098-010	0.047	Industrial	3.5	0.164	\$4.60	\$4.60
80	004-098-011	0.041	Industrial	3.5	0.145	\$4.06	\$4.06

Assessment rounded up to nearest even cents, for example \$98.07 rounded up to \$98.08 for ease of bi-annual assessment.

PART IV – PROPOSED BUDGET & ASSESSMENTS

C. Proposed Assessment List By Parcel Number

Proposed Assessment List By Parcel For North McHenry Lighting District As Of 10/01/2010							
Count	APN	Acres	Property Type	EBU	EBU Per Acreage	Assessment	Assessment Rounded Up
81	004-098-012	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
82	004-098-013	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
83	004-098-014	0.062	Industrial	3.5	0.217	\$6.09	\$6.10
84	004-098-015	0.062	Industrial	3.5	0.217	\$6.09	\$6.10
85	004-098-016	0.034	Industrial	3.5	0.121	\$3.39	\$3.40
86	004-098-017	0.034	Industrial	3.5	0.121	\$3.39	\$3.40
87	004-098-018	0.034	Industrial	3.5	0.121	\$3.39	\$3.40
88	004-098-019	0.034	Industrial	3.5	0.121	\$3.39	\$3.40
89	004-098-020	0.033	Industrial	3.5	0.117	\$3.27	\$3.28
90	004-098-021	0.035	Industrial	3.5	0.121	\$3.41	\$3.42
91	004-098-022	0.034	Industrial	3.5	0.121	\$3.39	\$3.40
92	004-098-023	0.034	Industrial	3.5	0.121	\$3.39	\$3.40
93	004-098-024	0.034	Industrial	3.5	0.121	\$3.39	\$3.40
94	004-098-025	0.072	Industrial	3.5	0.251	\$7.04	\$7.04
95	004-098-026	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
96	004-098-027	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
97	004-098-028	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
98	004-098-029	0.041	Industrial	3.5	0.145	\$4.06	\$4.06
99	004-098-030	0.054	Industrial	3.5	0.190	\$5.35	\$5.36
100	004-098-031	0.005	Exempt	0.0	0.000	\$0.00	\$0.00
101	004-098-032	2.214	Industrial	3.5	7.750	\$217.70	\$217.70
102	004-099-001	0.045	Industrial	3.5	0.159	\$4.47	\$4.48
103	004-099-002	0.031	Industrial	3.5	0.109	\$3.07	\$3.08
104	004-099-003	0.031	Industrial	3.5	0.109	\$3.07	\$3.08
105	004-099-004	0.031	Industrial	3.5	0.109	\$3.07	\$3.08
106	004-099-005	0.072	Industrial	3.5	0.252	\$7.07	\$7.08
107	004-099-006	0.040	Industrial	3.5	0.141	\$3.95	\$3.96
108	004-099-007	0.034	Industrial	3.5	0.118	\$3.32	\$3.32
109	004-099-008	0.034	Industrial	3.5	0.118	\$3.32	\$3.32
110	004-099-009	0.034	Industrial	3.5	0.118	\$3.32	\$3.32
111	004-099-010	0.034	Industrial	3.5	0.118	\$3.32	\$3.32
112	004-099-011	0.045	Industrial	3.5	0.157	\$4.41	\$4.42
113	004-099-012	0.593	Industrial	3.5	2.076	\$58.32	\$58.32
114	046-004-019	2.357	Commercial	3.5	8.249	\$231.71	\$231.72
115	046-004-021	1.030	Vacant Commercial	1.0	1.030	\$28.94	\$28.94
116	046-004-023	0.705	Vacant Commercial	1.0	0.705	\$19.80	\$19.80
117	046-004-027	0.692	Commercial	3.5	2.423	\$68.05	\$68.06
118	046-004-028	0.498	Commercial	3.5	1.742	\$48.95	\$48.96
119	046-004-029	0.542	Commercial	3.5	1.897	\$53.29	\$53.30
120	046-004-030	2.774	Commercial	3.5	9.710	\$272.74	\$272.74

Assessment rounded up to nearest even cents, for example \$98.07 rounded up to \$98.08 for ease of bi-annual assessment.

PART IV – PROPOSED BUDGET & ASSESSMENTS

C. Proposed Assessment List By Parcel Number

Proposed Assessment List By Parcel For North McHenry Lighting District As Of 10/01/2010							
Count	APN	Acres	Property Type	EBU	EBU Per Acreage	Assessment	Assessment Rounded Up
121	046-004-031	0.616	Commercial	3.5	2.155	\$60.55	\$60.56
122	046-004-032	0.539	Vacant Commercial	1.0	0.539	\$15.14	\$15.14
123	046-004-035	0.548	Vacant Commercial	1.0	0.548	\$15.38	\$15.38
124	046-004-036	0.512	Commercial	3.5	1.791	\$50.31	\$50.32
125	046-004-037	1.313	Commercial	3.5	4.595	\$129.06	\$129.06
126	046-004-038	0.510	Vacant Commercial	1.0	0.510	\$14.31	\$14.32
127	046-004-039	0.551	Vacant Commercial	1.0	0.551	\$15.47	\$15.48
128	046-004-041	2.186	Public Storm Drain Basin	0.4	0.874	\$24.56	\$24.56
129	046-004-044	1.493	Commercial	3.5	5.226	\$146.79	\$146.80
130	046-004-045	0.655	Vacant Commercial	1.0	0.655	\$18.39	\$18.40
131	046-004-046	0.655	Vacant Commercial	1.0	0.655	\$18.39	\$18.40
132	046-004-047	0.655	Vacant Commercial	1.0	0.655	\$18.39	\$18.40
133	046-004-048	0.715	Vacant Commercial	1.0	0.715	\$20.09	\$20.10
134	046-004-050	0.579	Vacant Commercial	1.0	0.579	\$16.26	\$16.26
135	046-004-051	0.551	Vacant Commercial	1.0	0.551	\$15.47	\$15.48
136	046-004-052	0.551	Vacant Commercial	1.0	0.551	\$15.47	\$15.48
137	046-004-053	0.551	Commercial	3.5	1.928	\$54.16	\$54.16
138	046-004-054	0.551	Commercial	3.5	1.928	\$54.16	\$54.16
139	046-004-055	0.551	Commercial	3.5	1.928	\$54.15	\$54.16
140	046-004-058	0.551	Vacant Commercial	1.0	0.551	\$15.47	\$15.48
141	046-004-059	0.542	Vacant Commercial	1.0	0.542	\$15.22	\$15.22
142	046-004-060	0.553	Commercial	3.5	1.935	\$54.34	\$54.34
143	046-004-061	3.524	Commercial	3.5	12.335	\$346.50	\$346.50
144	046-004-064	4.644	Industrial	3.5	16.255	\$456.61	\$456.62
145	046-004-065	1.101	Commercial	3.5	3.855	\$108.28	\$108.28
146	046-004-066	0.462	Commercial	3.5	1.617	\$45.41	\$45.42
147	046-004-067	0.472	Commercial	3.5	1.652	\$46.41	\$46.42
148	046-004-068	0.617	Commercial	3.5	2.158	\$60.63	\$60.64
149	046-004-069	1.048	Commercial	3.5	3.668	\$103.04	\$103.04
150	046-004-070	0.476	Commercial	3.5	1.666	\$46.81	\$46.82
151	046-004-071	0.531	Commercial	3.5	1.860	\$52.23	\$52.24
152	046-004-072	0.930	Vacant Commercial	1.0	0.930	\$26.13	\$26.14
153	046-004-073	1.043	Commercial	3.5	3.650	\$102.52	\$102.52
154	046-005-002	0.946	Vacant Commercial	1.0	0.946	\$26.58	\$26.58
155	046-005-003	6.715	Vacant Commercial	1.0	6.715	\$188.63	\$188.64
156	046-005-021	1.083	Commercial	3.5	3.792	\$106.52	\$106.52
157	046-008-001	0.544	Commercial	3.5	1.904	\$53.49	\$53.50
158	046-008-002	0.489	Industrial	3.5	1.712	\$48.09	\$48.10
159	046-008-003	0.501	Industrial	3.5	1.753	\$49.23	\$49.24
160	046-008-004	0.637	Commercial	3.5	2.231	\$62.66	\$62.66

Assessment rounded up to nearest even cents, for example \$98.07 rounded up to \$98.08 for ease of bi-annual assessment.

PART IV – PROPOSED BUDGET & ASSESSMENTS

C. Proposed Assessment List By Parcel Number

Proposed Assessment List By Parcel For North McHenry Lighting District As Of 10/01/2010							
Count	APN	Acres	Property Type	EBU	EBU Per Acreage	Assessment	Assessment Rounded Up
161	046-008-005	0.467	Commercial	3.5	1.634	\$45.91	\$45.92
162	046-008-008	1.400	Commercial	3.5	4.900	\$137.63	\$137.64
163	046-008-012	0.820	Commercial	3.5	2.871	\$80.64	\$80.64
164	046-008-013	0.605	Commercial	3.5	2.119	\$59.52	\$59.52
165	046-008-017	0.461	Industrial	3.5	1.613	\$45.30	\$45.30
166	046-008-018	0.679	Commercial	3.5	2.375	\$66.72	\$66.72
167	046-008-019	0.780	Industrial	3.5	2.730	\$76.69	\$76.70
168	046-008-020	0.865	Commercial	3.5	3.026	\$85.00	\$85.00
169	046-008-021	0.503	Commercial	3.5	1.761	\$49.45	\$49.46
170	046-008-022	0.461	Commercial	3.5	1.614	\$45.35	\$45.36
171	046-008-023	0.871	Commercial	3.5	3.049	\$85.65	\$85.66
172	046-008-024	1.081	Commercial	3.5	3.785	\$106.32	\$106.32
173	046-009-001	0.825	Public Storm Drain Basin	0.4	0.330	\$9.27	\$9.28
174	046-009-003	0.755	Commercial	3.5	2.644	\$74.26	\$74.26
175	046-009-005	0.541	Industrial	3.5	1.893	\$53.18	\$53.18
176	046-009-006	0.537	Commercial	3.5	1.880	\$52.82	\$52.82
177	046-009-008	2.700	Industrial	3.5	9.451	\$265.47	\$265.48
178	046-009-009	0.234	Industrial	3.5	0.819	\$23.01	\$23.02
179	046-009-010	0.200	Industrial	3.5	0.701	\$19.69	\$19.70
180	046-009-011	0.249	Industrial	3.5	0.872	\$24.48	\$24.48
181	046-009-012	0.300	Industrial	3.5	1.050	\$29.49	\$29.50
182	046-009-013	0.248	Industrial	3.5	0.867	\$24.36	\$24.36
183	046-009-014	0.214	Industrial	3.5	0.749	\$21.05	\$21.06
184	046-010-024	4.553	Vacant Commercial	1.0	4.553	\$127.89	\$127.90
185	046-010-025	1.020	Commercial	3.5	3.569	\$100.26	\$100.26
186	046-010-026	1.019	Commercial	3.5	3.566	\$100.18	\$100.18
187	046-010-027	0.824	Commercial	3.5	2.882	\$80.97	\$80.98
188	046-011-017	4.900	Commercial	3.5	17.149	\$481.70	\$481.70
189	046-011-018	0.502	Industrial	3.5	1.758	\$49.39	\$49.40
190	046-011-019	0.502	Industrial	3.5	1.758	\$49.39	\$49.40
191	046-011-020	0.914	Industrial	3.5	3.198	\$89.84	\$89.84
192	046-011-021	1.277	Commercial	3.5	4.469	\$125.53	\$125.54
193	046-011-022	0.954	Commercial	3.5	3.340	\$93.82	\$93.82
194	046-011-023	1.000	Commercial	3.5	3.499	\$98.28	\$98.28
195	046-011-031	3.537	Commercial	3.5	12.378	\$347.69	\$347.70
196	046-011-044	0.674	Industrial	3.5	2.360	\$66.29	\$66.30
197	046-011-045	0.621	Industrial	3.5	2.172	\$61.01	\$61.02
198	046-011-046	0.590	Industrial	3.5	2.066	\$58.05	\$58.06
199	046-011-047	1.146	Vacant Commercial	1.0	1.146	\$32.18	\$32.18
200	046-011-048	0.620	Vacant Commercial	1.0	0.620	\$17.41	\$17.42

Assessment rounded up to nearest even cents, for example \$98.07 rounded up to \$98.08 for ease of bi-annual assessment.

PART IV – PROPOSED BUDGET & ASSESSMENTS

C. Proposed Assessment List By Parcel Number

Proposed Assessment List By Parcel For North McHenry Lighting District As Of 10/01/2010							
Count	APN	Acres	Property Type	EBU	EBU Per Acreage	Assessment	Assessment Rounded Up
201	046-011-049	1.278	Industrial	3.5	4.473	\$125.64	\$125.64
202	046-011-050	0.596	Industrial	3.5	2.084	\$58.55	\$58.56
203	046-011-051	0.672	Industrial	3.5	2.353	\$66.10	\$66.10
204	046-011-052	0.679	Industrial	3.5	2.377	\$66.77	\$66.78
205	046-011-053	0.597	Industrial	3.5	2.090	\$58.70	\$58.70
206	046-011-054	1.887	Industrial	3.5	6.606	\$185.57	\$185.58
207	046-011-056	1.836	Industrial	3.5	6.427	\$180.54	\$180.54
208	046-011-057	1.663	Industrial	3.5	5.822	\$163.53	\$163.54
209	046-011-060	1.545	Industrial	3.5	5.409	\$151.93	\$151.94
210	046-011-061	1.404	Industrial	3.5	4.912	\$137.99	\$138.00
211	046-011-062	1.560	Industrial	3.5	5.459	\$153.34	\$153.34
212	046-011-063	1.724	Industrial	3.5	6.034	\$169.51	\$169.52
213	046-011-064	1.493	Commercial	3.5	5.224	\$146.76	\$146.76
214	046-011-065	2.010	Commercial	3.5	7.037	\$197.66	\$197.66
215	046-011-066	0.979	Commercial	3.5	3.427	\$96.27	\$96.28
216	082-006-042	1.805	Commercial	3.5	6.318	\$177.46	\$177.46
217	082-006-043	2.417	Commercial	3.5	8.461	\$237.68	\$237.68
218	082-006-045	1.984	Commercial	3.5	6.944	\$195.07	\$195.08
219	082-006-052	0.794	Commercial	3.5	2.777	\$78.02	\$78.02
220	082-006-053	4.532	Commercial	3.5	15.862	\$445.56	\$445.56
221	082-006-055	5.172	Commercial	3.5	18.101	\$508.45	\$508.46
222	082-006-066	1.241	Vacant Commercial	1.0	1.241	\$34.86	\$34.86
223	082-006-067	2.036	Commercial	3.5	7.124	\$200.12	\$200.12
224	082-006-068	1.635	Commercial	3.5	5.721	\$160.71	\$160.72
225	082-007-007a*	8.020	Commercial	3.5	28.070	\$788.49	\$788.50
226	082-007-007b*	10.030	Rural, Farm, Agricultural	1.0	10.030	\$281.74	\$281.74
227	082-009-020	0.797	Commercial	3.5	2.789	\$78.33	\$78.34
228	082-009-023	1.847	Public School/Congregation	2.2	4.064	\$114.15	\$114.16
229	082-009-024	1.928	Commercial	3.5	6.746	\$189.51	\$189.52
230	082-009-025	1.735	Commercial	3.5	6.072	\$170.55	\$170.56
231	082-009-026	0.325	Public Storm Drain Basin	0.4	0.130	\$3.65	\$3.66
232	082-009-027	0.445	Commercial	3.5	1.556	\$43.71	\$43.72
233	082-009-028	0.813	Commercial	3.5	2.844	\$79.89	\$79.90
234	082-009-029	8.799	Commercial	3.5	30.795	\$865.04	\$865.04
Totals		239.095		719.3	682.745	\$19,178.30	\$19,179.30

APN 082-007-007 "a" & "b" for FunWorks; 2 parcels but only one APN. Parcel "a" is Commercial; parcel "b" is Ag. Assessment rounded up to nearest even cents, for example \$98.07 rounded up to \$98.08 for ease of bi-annual assessment.

North McHenry No 1 Lighting District Boundary Map

January, 2011

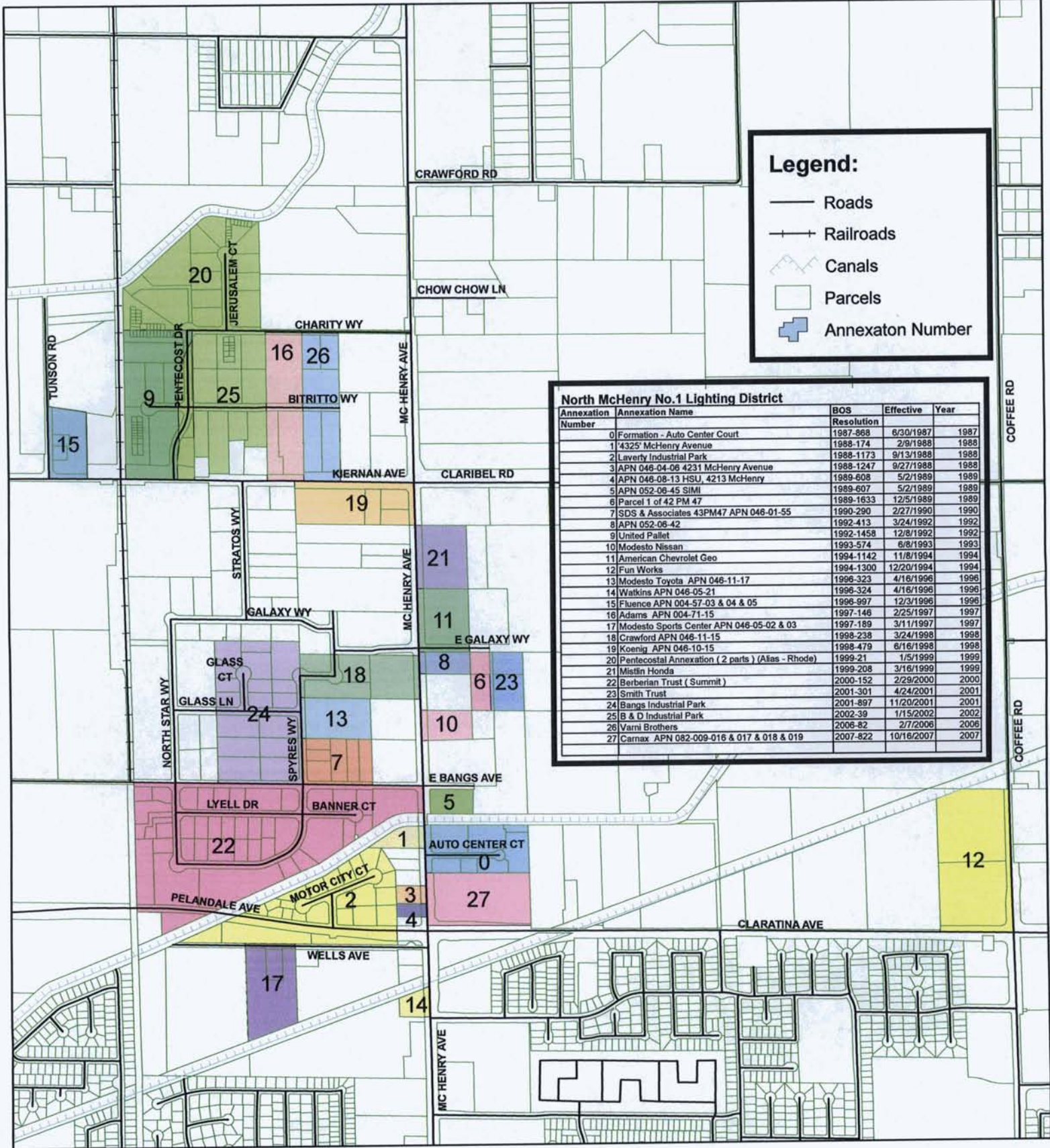


EXHIBIT A – LEGAL DESCRIPTION

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

Listing of attachments:

North McHenry No.1 Lighting District

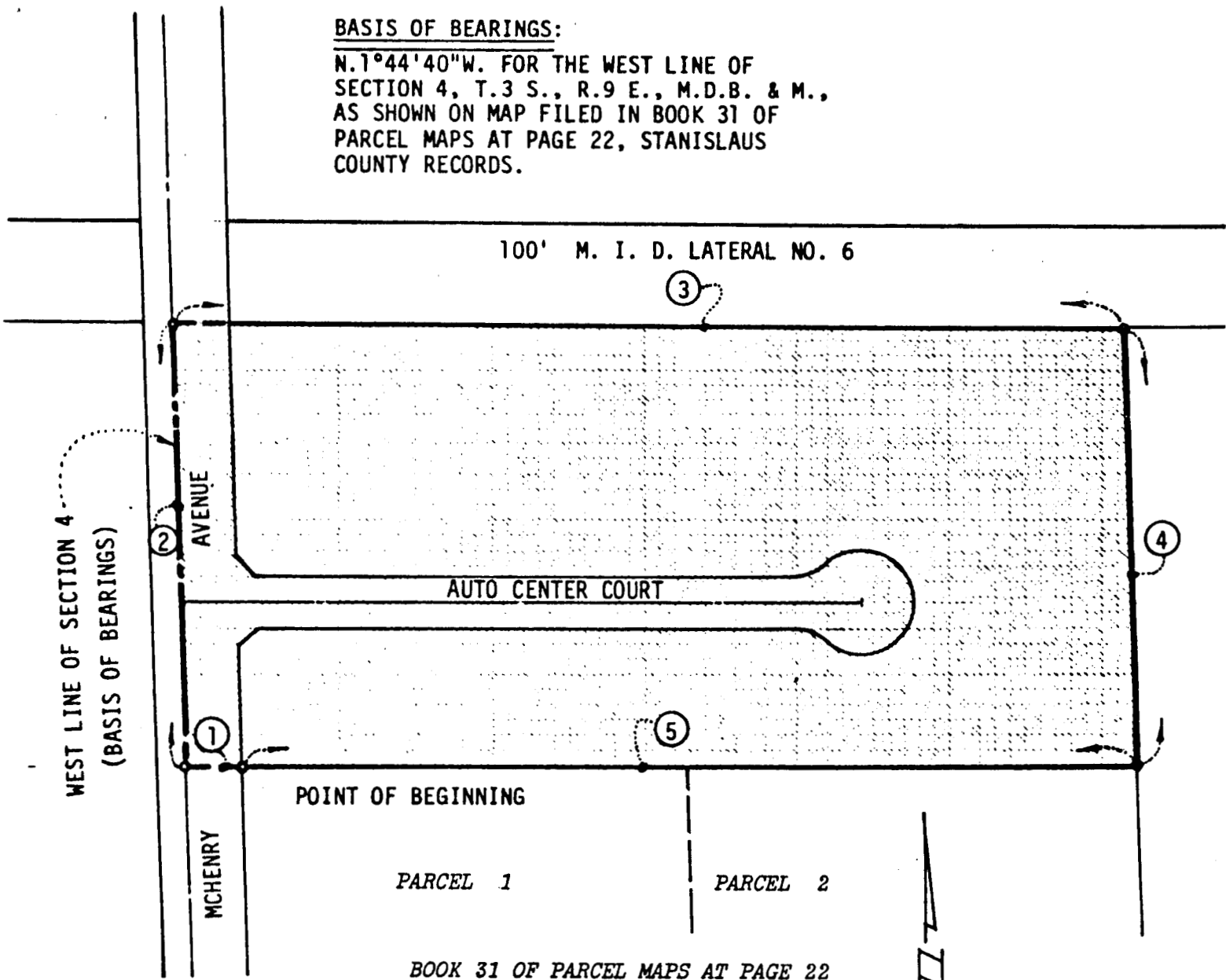
Addition Number	Addition Name	BOS Resolution	Effective	Year
0	Formation - Auto Center Court	1987-868	1987/06/30	1987
1	'4325' McHenry Avenue	1988-174	1988/02/09	1988
2	Laverty Industrial Park	1988-1173	1988/09/13	1988
3	APN 046-04-06 4231 McHenry Avenue	1988-1247	1988/09/27	1988
4	APN 046-08-13 HSU, 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'

SCALE 1" = 150'

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. 27868, 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:

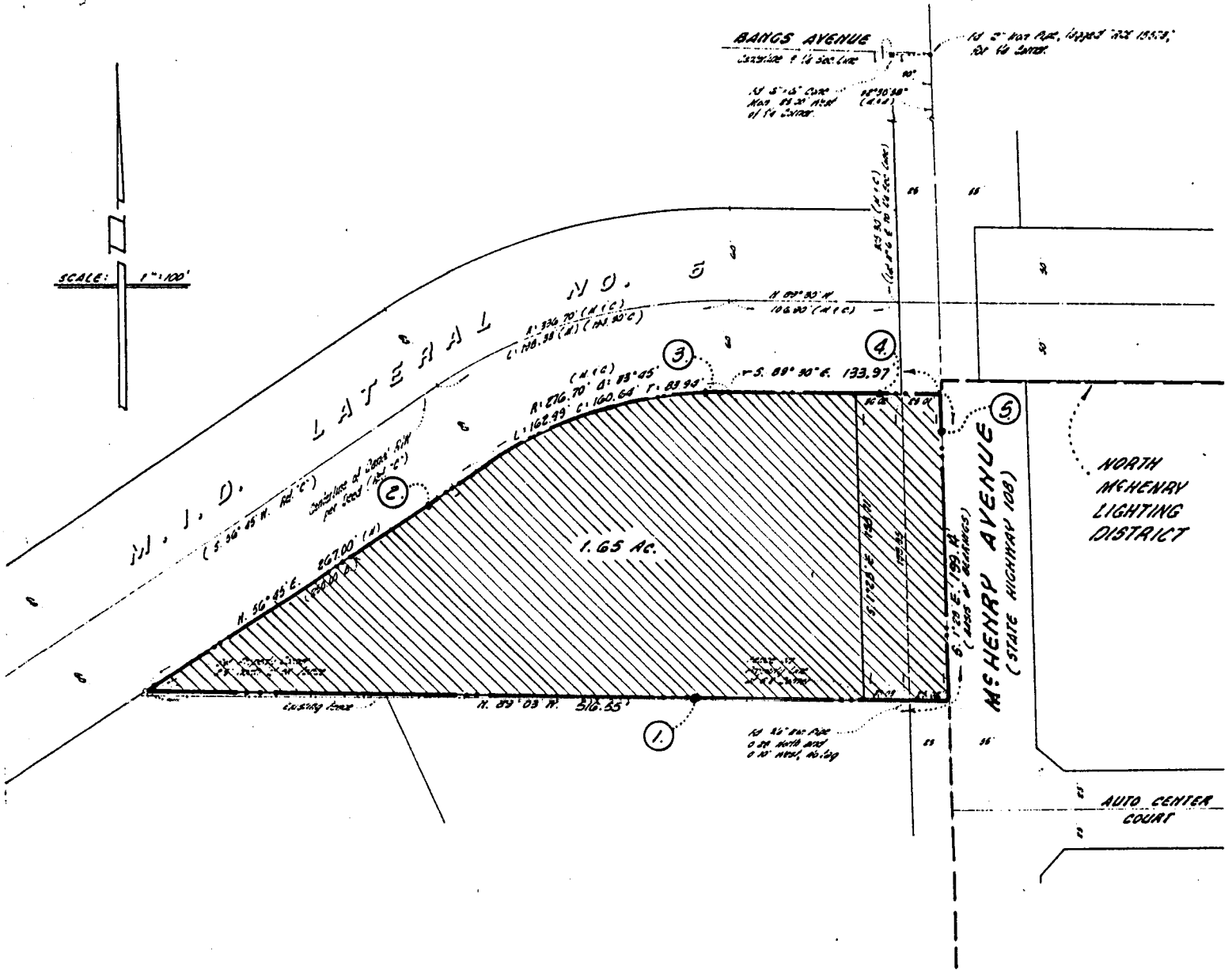
BEGINNING at a point on the section line between Sections 4 and 5, said point bears North $1^{\circ}28'$ West, a distance of 2064.82 feet from the corner of Sections 4, 5, 8 and 9, above Township and Range, said point also being on the West line of the NORTH McHENRY LIGHTING DISTRICT OF STANISLAUS COUNTY; 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. 35, R. 9 E., M.D.S. & M., as referred to in Deed, Instrument No. 122811, filed October 15, 1987, 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

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

LAVERTY INDUSTRIAL PARK

BEING A SUBDIVISION OF A PORTION OF THE SOUTHWEST QUARTER OF SECTION 5, T.2 S., R.9 E., M.D.B.M. STANISLAUS COUNTY, CALIFORNIA.

SCALE: 1" = 100'

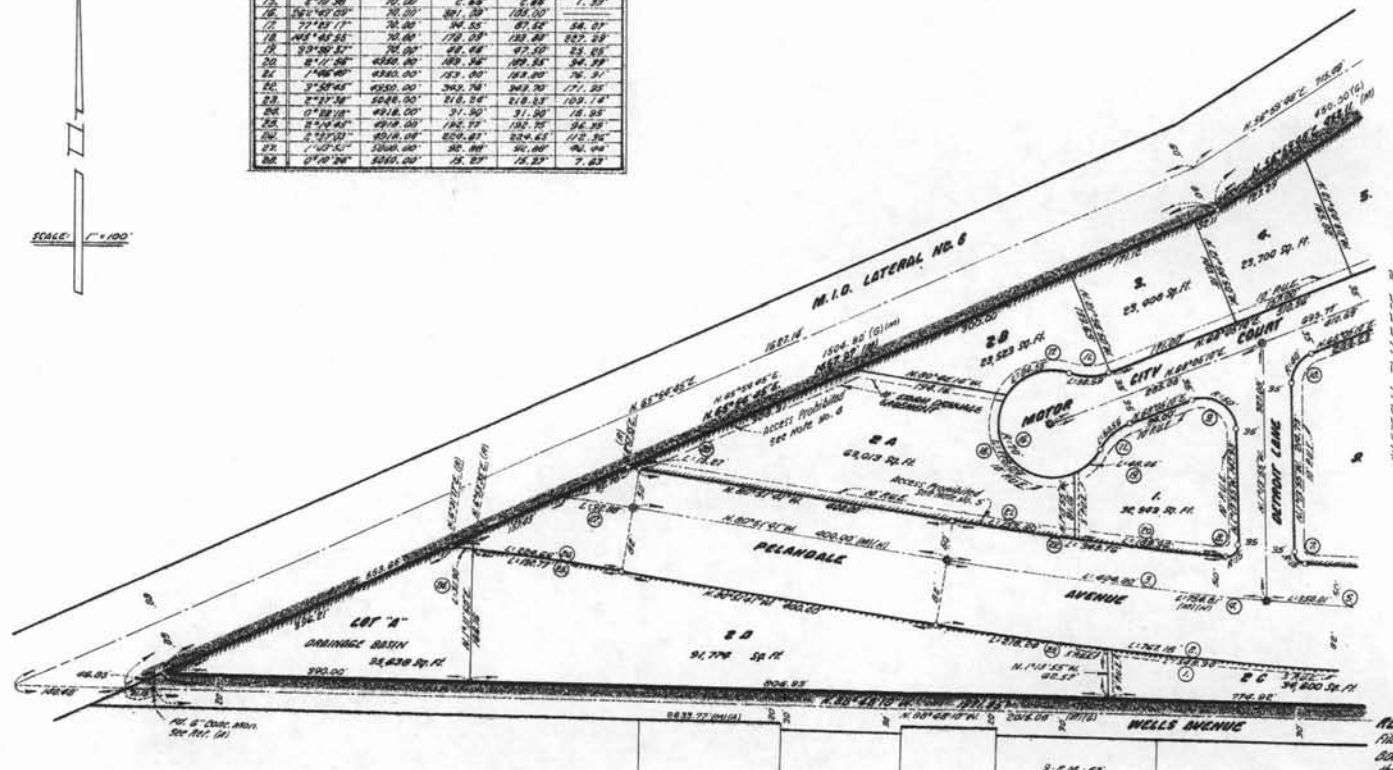
MARCH, 1981

HAZ VALLEY ENGINEERING
300 "H" STREET - SUITE "G"
MADRISTO, CALIFORNIA 95254

CURVE DATA:

NO.	ANGLE	BACKSIGHT	SIGHT	CORD	TANGENT
1	67° 11' 59"	1289.00	566.88	218.27	128.75
2	6° 38' 59"	5042.00	747.18	748.06	384.72
3	6° 38' 59"	5000.00	684.79	684.89	339.51
4	6° 38' 59"	5000.00	746.81	746.00	376.70
5	6° 38' 59"	5000.00	810.21	808.94	393.04
6	3° 30' 16"	4820.00	702.67	702.62	341.58
7	80° 46' 32"	18.00	28.19	28.29	13.89
8	80° 46' 32"	18.00	28.19	28.29	13.89
9	77° 02' 50"	68.00	111.21	108.00	51.06
10	69° 19' 25"	90.00	130.30	125.00	57.46
11	41° 46' 32"	20.00	30.89	29.89	14.46
12	100° 00' 39"	20.00	184.71	184.80	187.81
13	4° 02' 14"	32.00	54.89	51.84	25.81
14	51° 00' 30"	20.00	40.30	38.30	19.30
15	8° 12' 30"	20.00	33.88	32.88	16.39
16	102° 47' 29"	20.00	181.20	181.00	181.00
17	77° 02' 50"	20.00	111.21	108.00	51.06
18	100° 00' 39"	20.00	184.71	184.80	187.81
19	32° 50' 31"	20.00	33.88	32.88	16.39
20	8° 12' 30"	20.00	33.88	32.88	16.39
21	1° 46' 00"	4940.00	193.00	189.00	76.31
22	3° 58' 42"	4940.00	242.78	242.70	121.28
23	8° 12' 30"	5048.00	218.24	218.25	109.14
24	0° 58' 18"	4918.00	31.30	31.30	16.38
25	8° 12' 30"	4918.00	182.72	182.75	91.39
26	5° 12' 30"	4918.00	226.87	226.82	113.38
27	1° 46' 00"	5000.00	30.89	30.89	16.44
28	0° 12' 30"	5048.00	18.29	18.29	7.23

SCALE: 1" = 100'



RECORDERS CERTIFICATE:
Filed this 27 day of July, 1981 at 1:40 o'clock P.M. in Book 33 of Maps of Page 17, Stanislaus County Records, at the request of JIMMY G. BAILEMAN.

Instrument No. 0149945
Rec. 10-2-81 And
DAVID A. WILSON, COUNTY RECORDER
By: Paul J. Garrison, Deputy



DELAMARE-FULTZ

ENGINEERING AND SURVEYING

3421 TULLY ROAD • SUITE J • MODESTO, CA. 95350
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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**

D E S C R I P T I O N

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:

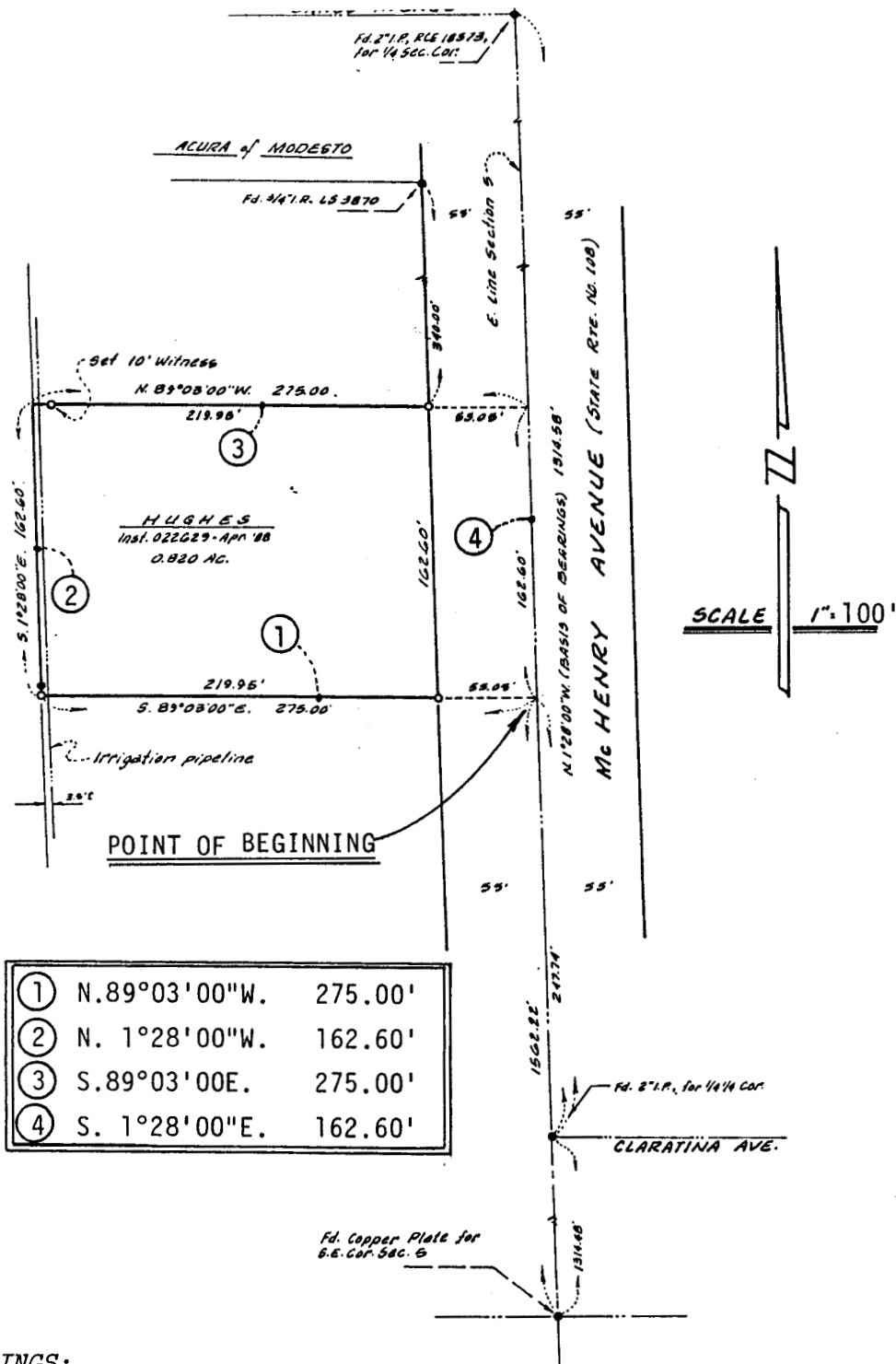
BEGINNING at a point on the section line between Sections 4 and 5, said point bears North 1°28' West, a distance of 1562.22 feet from the corner of Sections 4, 5, 8 and 9, above Township and Range; thence the following four courses:

- 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.

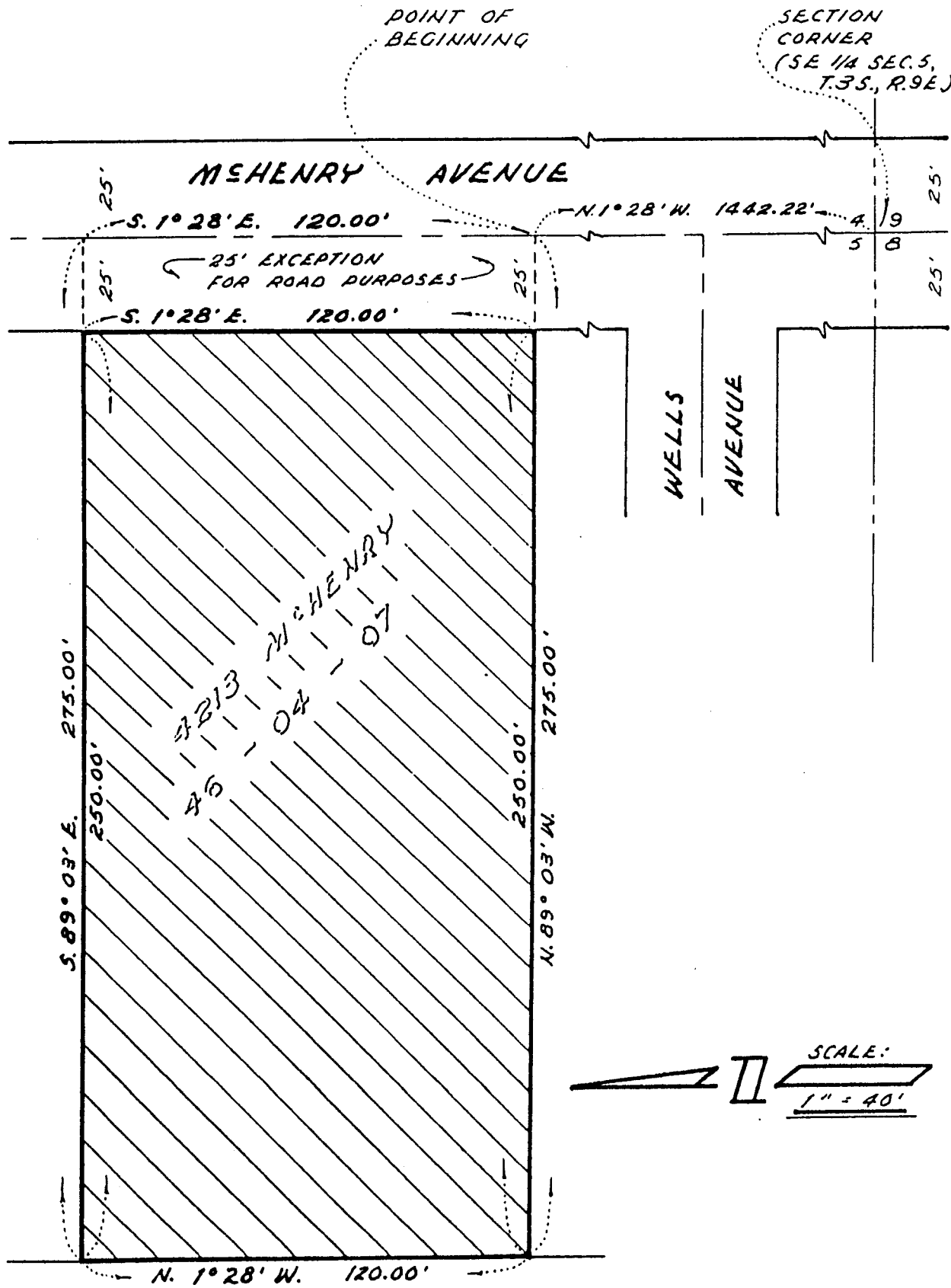


P.O. Box 816 MODESTO, CALIFORNIA 95353
(209) 526-4214

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



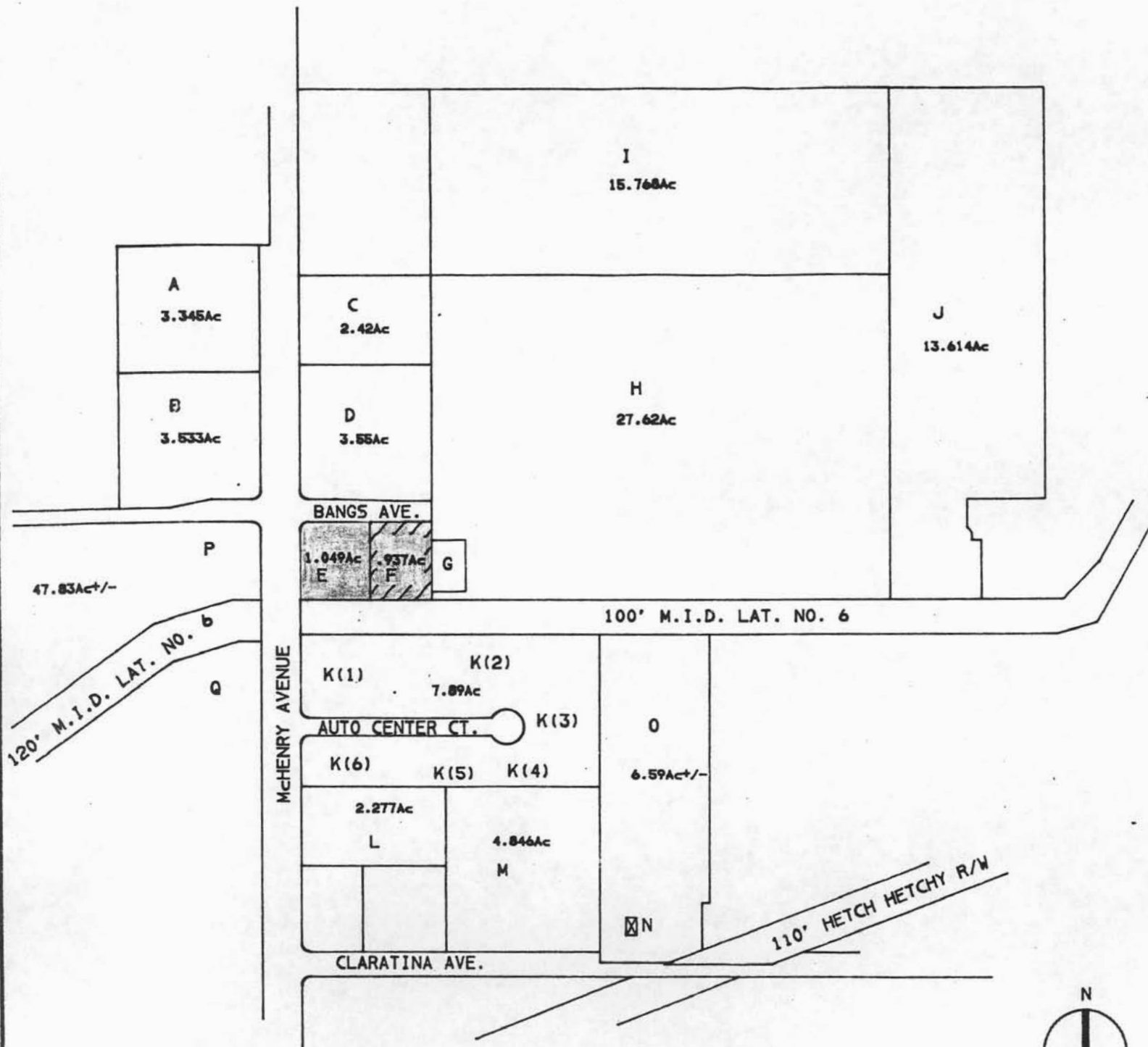
Date: September 28, 1988

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

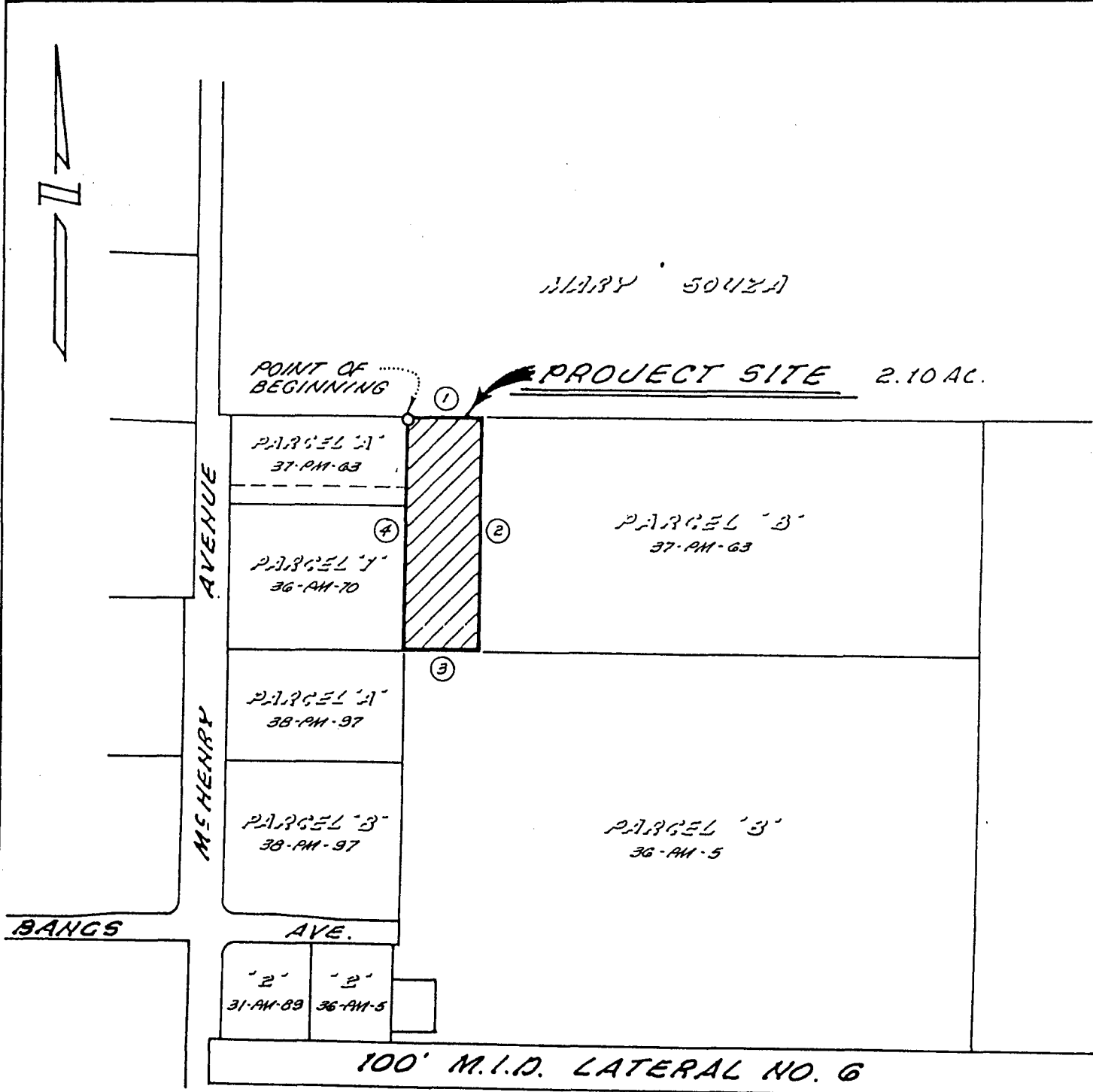
To Accompany a Petition for Annexation to the
North McHenry Lighting District

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 $89^{\circ}32'30''$ East, 175.00 feet; thence South $1^{\circ}18'21''$ East, 524.03 feet; thence North $89^{\circ}18'50''$ West, 175.00 feet; thence North $1^{\circ}18'30''$ West, 523.33 feet to the point of beginning of this description.

Containing 2.10 acres.

A circular seal for a Licensed Land Surveyor, Jimmy G. Bateman, No. 4885, State of California. The seal is stamped over a handwritten signature of Jimmy G. Bateman.



- 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

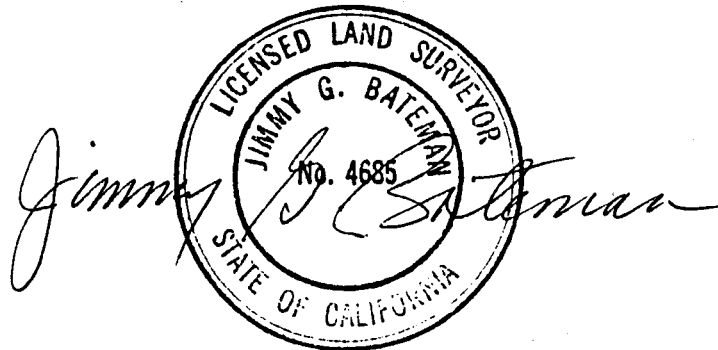
LEGAL DESCRIPTION

**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.



BANGS AVENUE

BANGS AVENUE

N. 1°37'38" W. 417.86'

Point of Beginning.

N. 89°11'16" W. 622.71'

E. 89°08'36" E. 622.13'

PROPOSED ANNEXATION
North McHenry Lighting District

PARCEL 2
36 P.M. 91

PARCEL 1
36 P.M. 91

43-PM-47

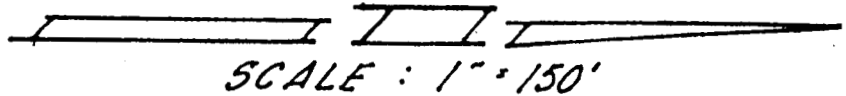
S. 1°42'30" E. 417.40'

400.40'

PARCEL A
36 P.M. 48

PARCEL 1
36 P.M. 91

MC HENRY AVENUE



SCALE : 1" = 150'

EXHIBIT "A"

LEGAL DESCRIPTION

Annexation to the North McHenry
Lighting District

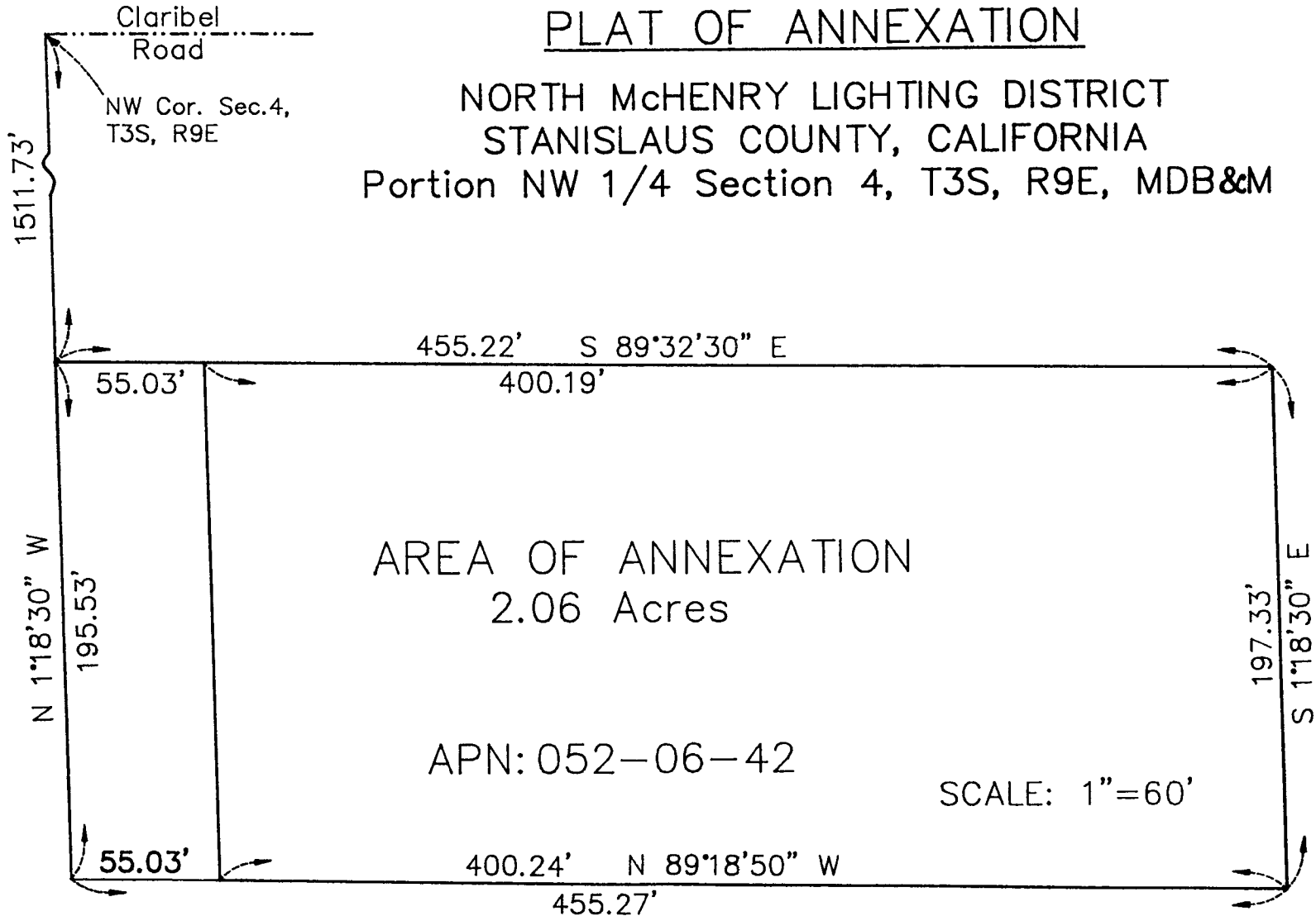
All that certain real property situated in a portion of the northwest quarter of Section 4, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, Stanislaus County, State of California, described as follows:

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 $88^{\circ}51'47''$ 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 $0^{\circ}35'21''$ 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 $11^{\circ}59'56''$ 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 $11^{\circ}59'56''$; thence North $0^{\circ}35'21''$ 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 $27^{\circ}43'06''$; thence North $27^{\circ}07'45''$ 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 $0^{\circ}25'53''$ 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 $88^{\circ}52'48''$ 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 $0^{\circ}27'50''$ 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 $88^{\circ}51'47''$ 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.

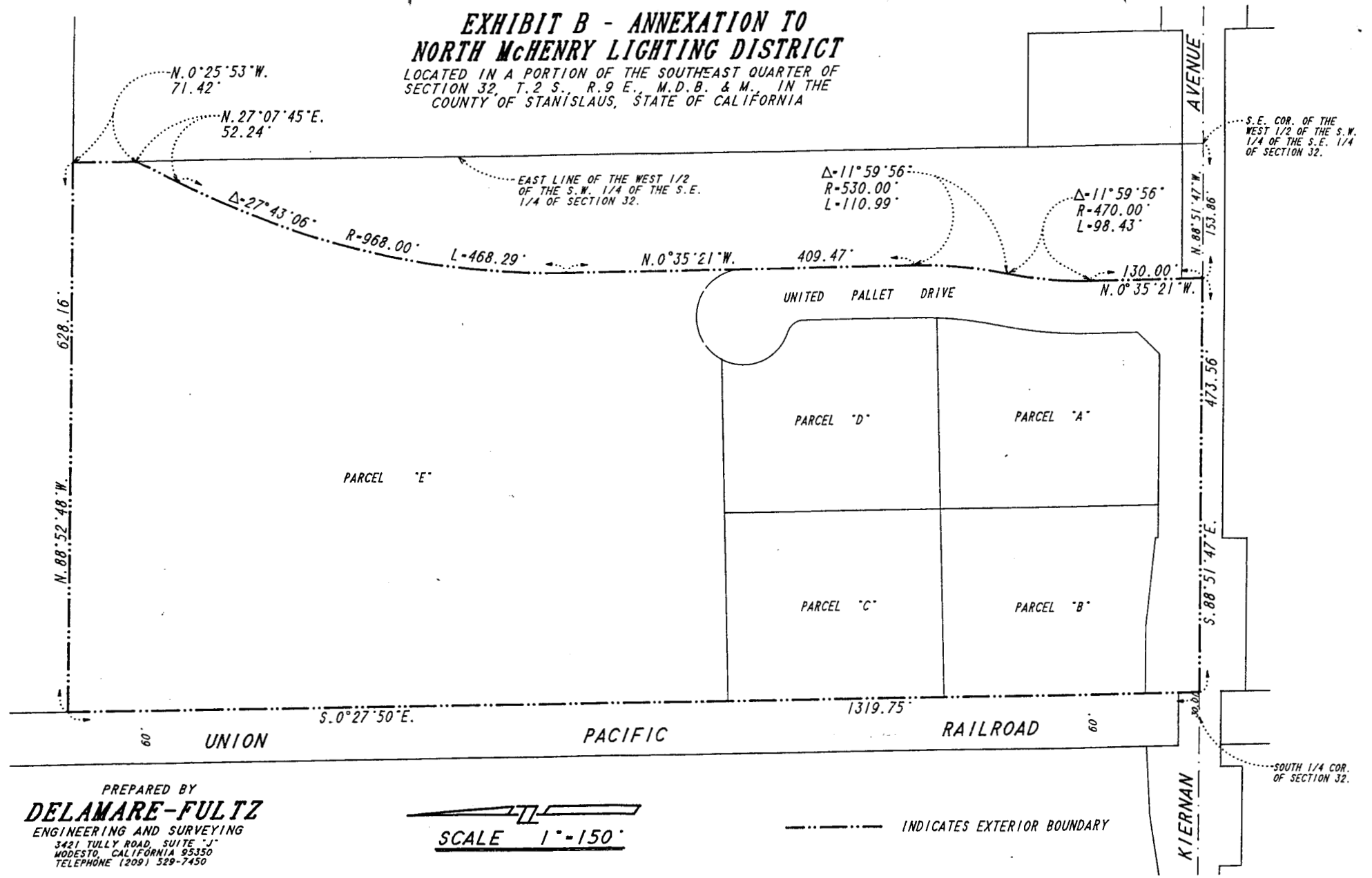
Containing: 15.58 Acres



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

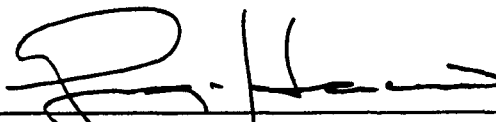
LEGAL DESCRIPTION FOR THE NORTH McHENRY LIGHTING DISTRICT

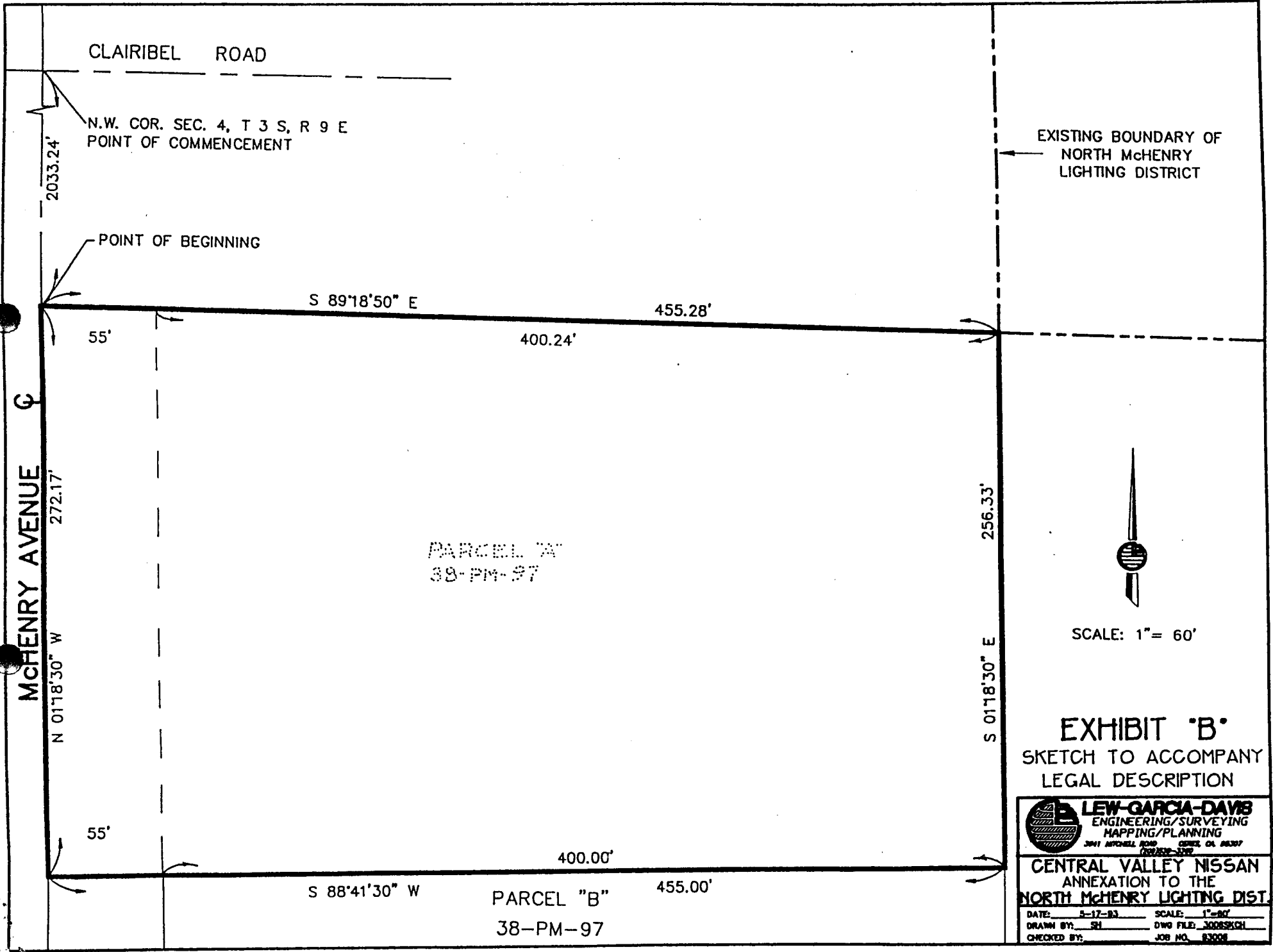
Being a portion of the west half of Section 4, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, situate in the County of Stanislaus, State of California, more particularly described as follows:

Commencing at the northwest corner of said Section 4; thence South $1^{\circ}18'30''$ 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 $89^{\circ}18'50''$ 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 $1^{\circ}18'30''$ 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 $88^{\circ}41'30''$ 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 $1^{\circ}18'30''$ 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.



 5/17/93
George Harcrow, L.S. 6494 Date
License Expires: 06/30/95





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.

10/28/94

Roy A. Galli

Roy A. Galli

R.C.E. 16024



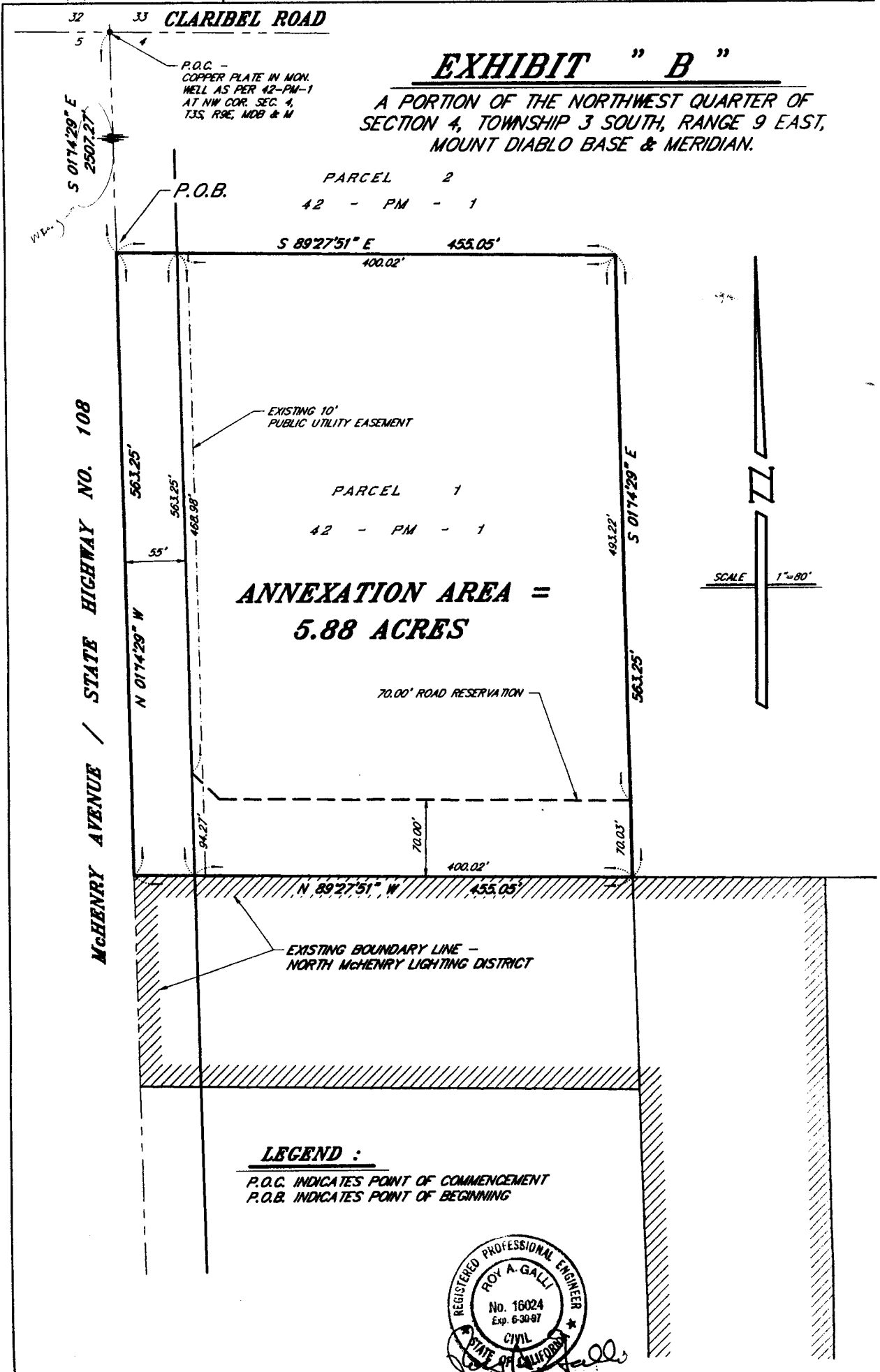


Exhibit "A"

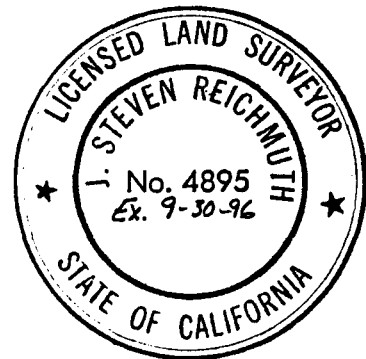
ANNEXATION TO THE NORTH MCHENRY LIGHTING DISTRICT

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

E A R L I B I I D
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.,

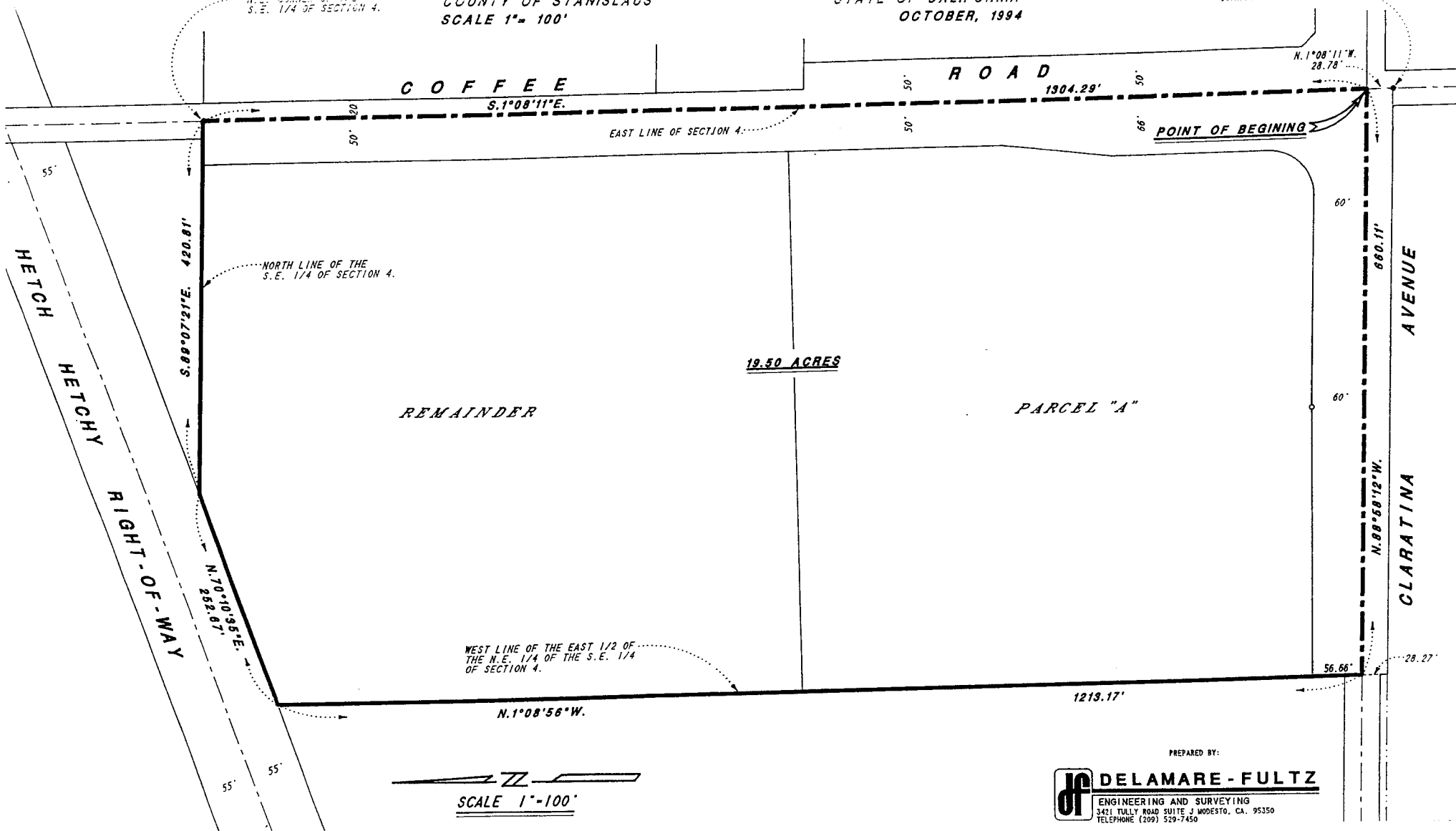
M. D. S. 3 M.

COUNTY OF STANISLAUS
SCALE 1" = 100'

STATE OF CALIFORNIA
OCTOBER, 1994

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

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



SCALE 1" = 100'

PREPARED BY:
DELAMARE-FULTZ
ENGINEERING AND SURVEYING
3421 TULLY ROAD SUITE J WOODBRIDGE, CA. 95350
TELEPHONE (209) 520-7450

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°11'16" West 1078.15 feet and North 1°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°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°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°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°08'36" West 622.14 feet to the point of beginning.

Containing 5.195 acres more or less.

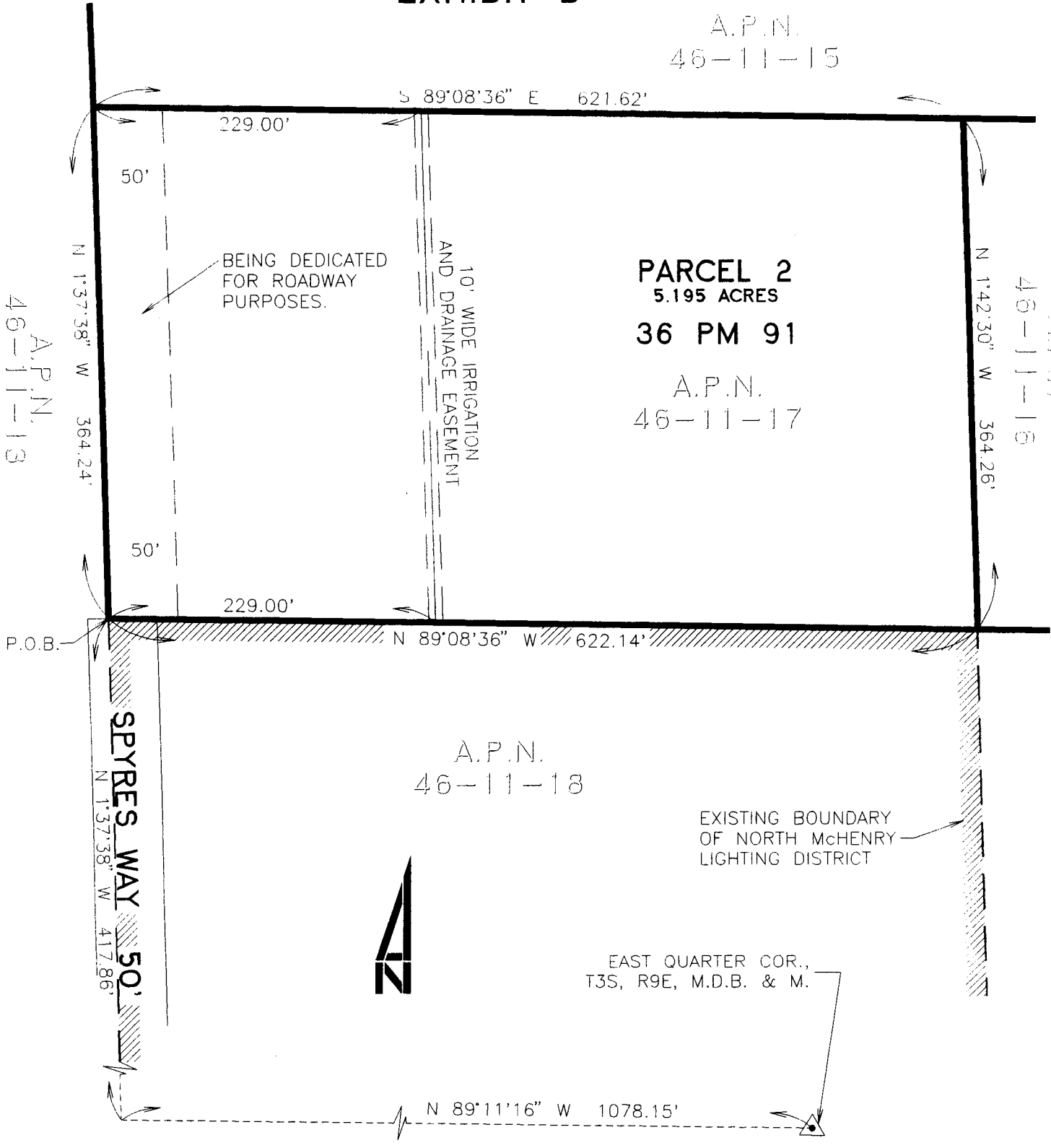


Duane C. Kimball
Professional Land Surveyor

Exhibit "A"

EXHIBIT B

A.P.N.
46-11-15



OWNER: MODESTO TOYOTA	
ADDRESS:	
SCALE:	1" = 100'
DRAWN BY:	O.D.T.
JOB NO.:	96015
DATE:	MARCH 7, 1996
REV.	DATE
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

909 15th STREET, SUITE 6
MODESTO, CA 95354

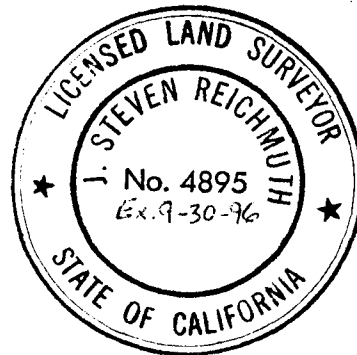
ANNEXATION TO
NORTH MCHENRY LIGHTING DISTRICT

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.

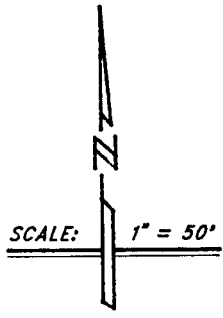
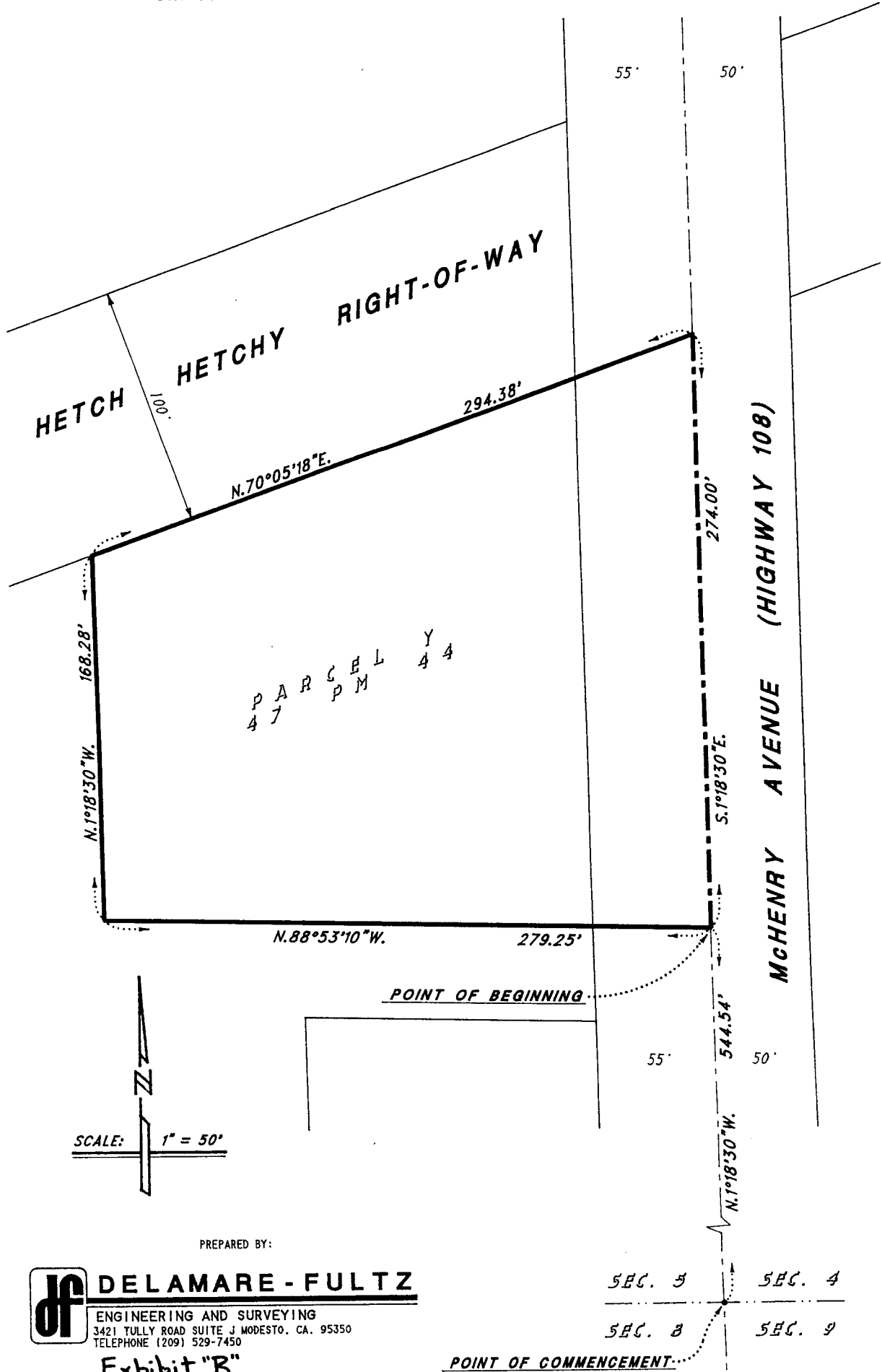
Containing 1.42 Acres



Steven Reichmuth

EXHIBIT FOR ANNEXATION TO NORTH McHENRY LIGHTING DISTRICT

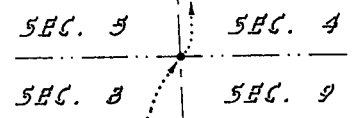
BEING A PORTION OF THE SOUTH HALF OF SECTION 5, T.3 S., R.9 E., M.D.B. & M.
STANISLAUS COUNTY CALIFORNIA



PREPARED BY:

df 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

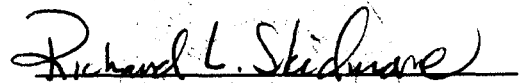
(North McHenry Lighting District Annexation - U.P.-95-12)

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

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

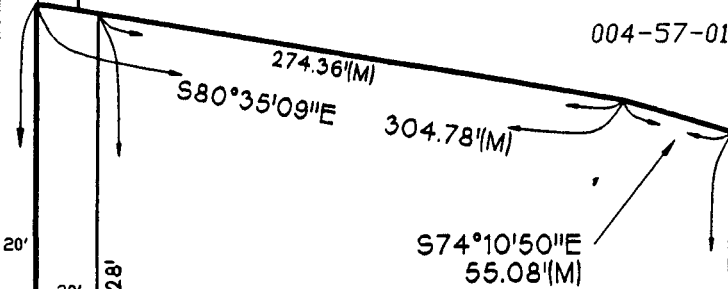


SCALE : 1" = 100'

LOT 29

004-57-01

ROAD



CARVER TRACT

004-57-05

7 - MAPS - 45

LOT 30

1/4 SECTION LINE

004-71-37

TUNSEN

N00°11'23"W

N0°11'23"W

004-57-03

N.02°34'27"W.
120.18'
004-57-04

5.06 ACRES

539.59'

N00°19'29"W

591.68'

004-57-06

N.00°11'23"W.
105.40'

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

LOT 31

354.96'
N.88°42'48"W.

662.03'

307.07'

KIERNAN

ROAD

POINT OF BEGINNING

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

SECTION LINE

TIDEWATER SOUTHERN RAILROAD

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:

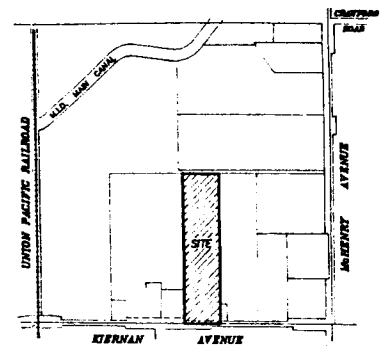
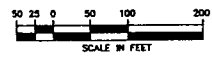
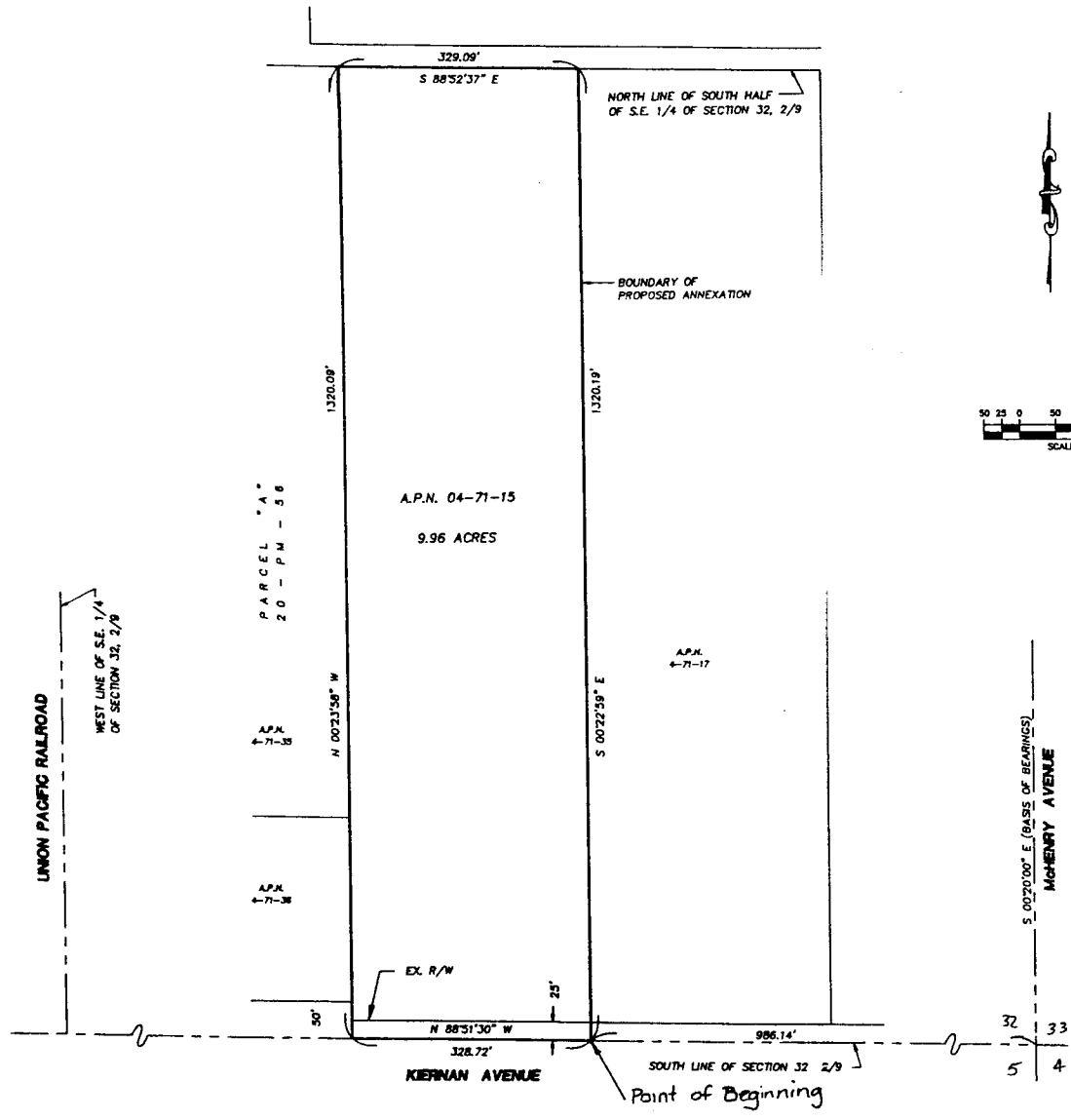
Commencing at the southeast corner of said Section 32; thence North 88°51'30" West along the south line of said Section 32, a distance of 986.14 feet to the TRUE POINT OF BEGINNING; thence continuing North 88°51'30" West along the south line of said Section 32, a distance of 328.72 feet to the southwest 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 58, STANISLAUS COUNTY RECORDS.

NOTES

LEW-GARCIA-DAVIS
GEOGRAPHIC INFORMATION SYSTEMS
ENGINEERING / SURVEYING / PLANNING
3841 MITCHELL ROAD, SUITE 0 CENES, CA 95307
TELEPHONE (209) 538-3380 FAX (209) 538-7370

EXHIBIT "B"
ANNEXATION TO
NORTH McHENRY LIGHTING DISTRICT

Scale: AS SHOWN	Date: 12/12/98
Drawn by: SOBOSKICH	1 of 1
Checked by: LJC	File No: 98085



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:

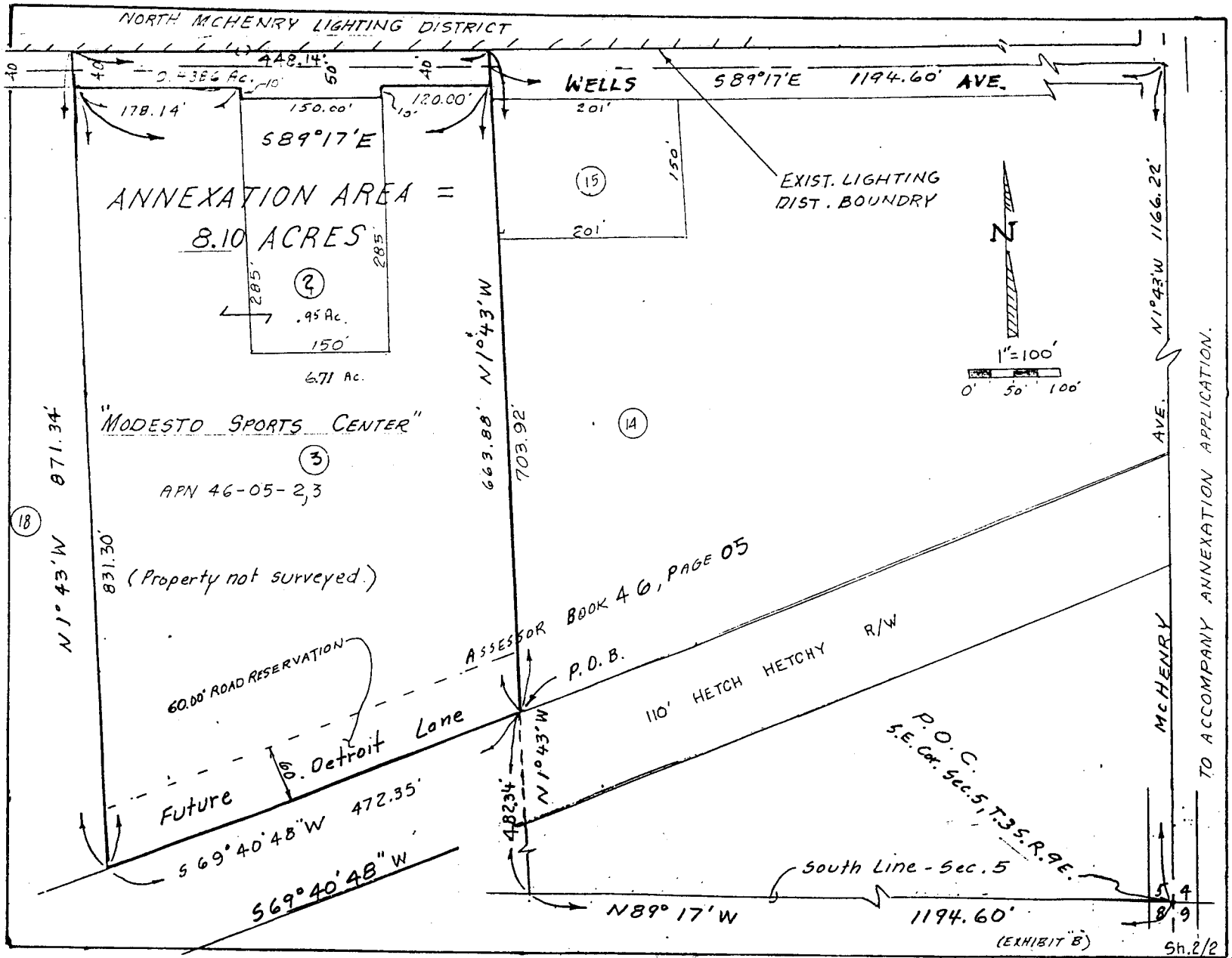
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5 AND RUNNING ALONG THE SOUTH LINE OF SAID SECTION 5, NORTH 89° 17' WEST 1,194.60 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL CONVEYED TO ROBERT H. OFFERMAN AND MARGARET OFFERMAN, HIS WIFE, BY DEED RECORDED APRIL 24, 1950, AS INSTRUMENT NO. 9120 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





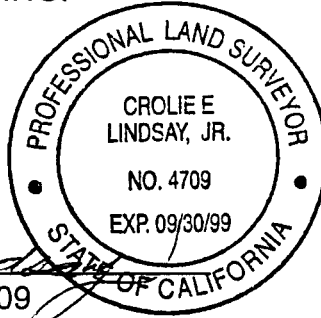
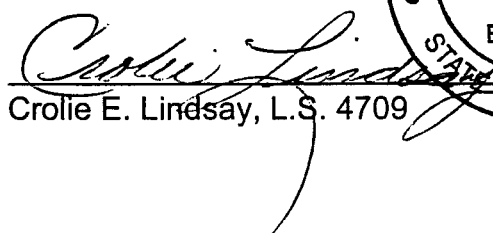
March 11, 1998
Job No. 71175

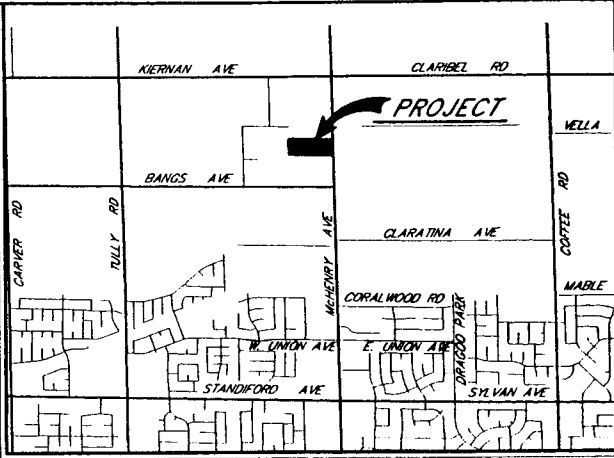
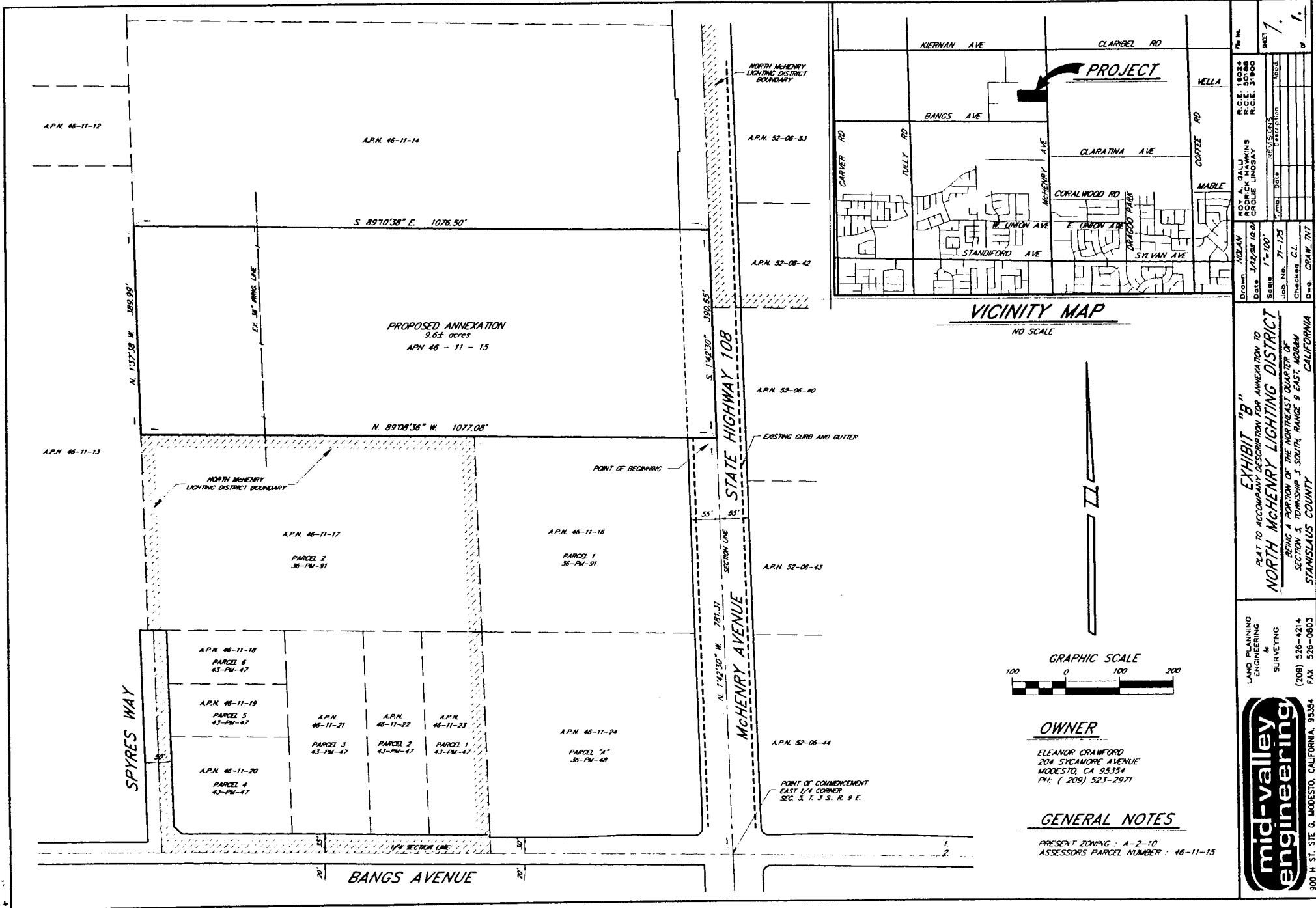
EXHIBIT "A"
LEGAL DESCRIPTION
LIGHTING DISTRICT

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:

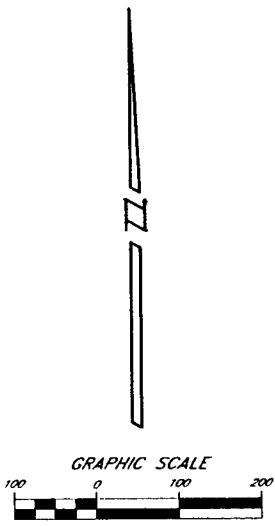
COMMENCING at the East quarter corner of said Section 5; thence North $01^{\circ}42'30''$ West along the easterly line of said Section 5, also being the centerline of McHenry Avenue, a distance of 781.31 feet to the POINT OF BEGINNING; thence North $89^{\circ}08'36''$ West, a distance of 1077.08 feet;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

A circular seal for a Professional Land Surveyor in the State of California. The outer ring contains the text "PROFESSIONAL LAND SURVEYOR" at the top and "STATE OF CALIFORNIA" at the bottom. The center of the seal contains the name "CROLIE E LINDSAY, JR.", the number "NO. 4709", and the expiration date "EXP. 09/30/99".
A handwritten signature in cursive script that reads "Crolie E. Lindsay".
Crolie E. Lindsay, L.S. 4709



VICINITY MAP
NO SCALE



OWNER

ELEANOR ORAMFORD
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	MOZMAN	Scale	1"=100'
Date	3/12/20	Job No.	71-175
Checked	C.L.	Drawn	CRAW, TMT
Project	SEVERSON	Sheet	1.
Client	RODRICK HAWKINS	Block	1.
Address	6018 R.C.E.	Parcel	1.
	31800 R.C.E.		
	31800 R.C.E.		

EXHIBIT "B"
 PLAN 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) 526-4214
 FAX: 526-0803



900 H ST. STE G, MODESTO, CALIFORNIA, 95354

May 6, 1998
Job No. 70-718

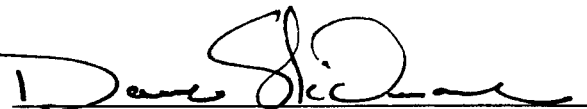
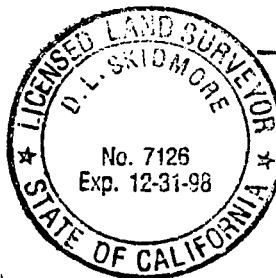
EXHIBIT "A"
LEGAL DESCRIPTION
LIGHTING DISTRICT

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

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 $88^{\circ}52'37''$ 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 $00^{\circ}27'58''$ 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 $19^{\circ}21'30''$ 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 $22^{\circ}21'30''$, a distance of 133.26 feet;
- 4) North $48^{\circ}17'00''$ 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 $50^{\circ}22'00''$, a distance of 146.36 feet;
- 6) South $81^{\circ}21'00''$ 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 $11^{\circ}56'29''$, a distance of 65.94 feet;
- 8) thence South $00^{\circ}20'00''$ East, a distance of 962.00 feet;
- 9) thence South $88^{\circ}52'37''$ 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 $00^{\circ}20'00''$ 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;

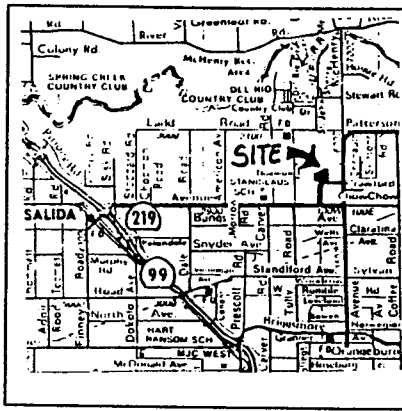
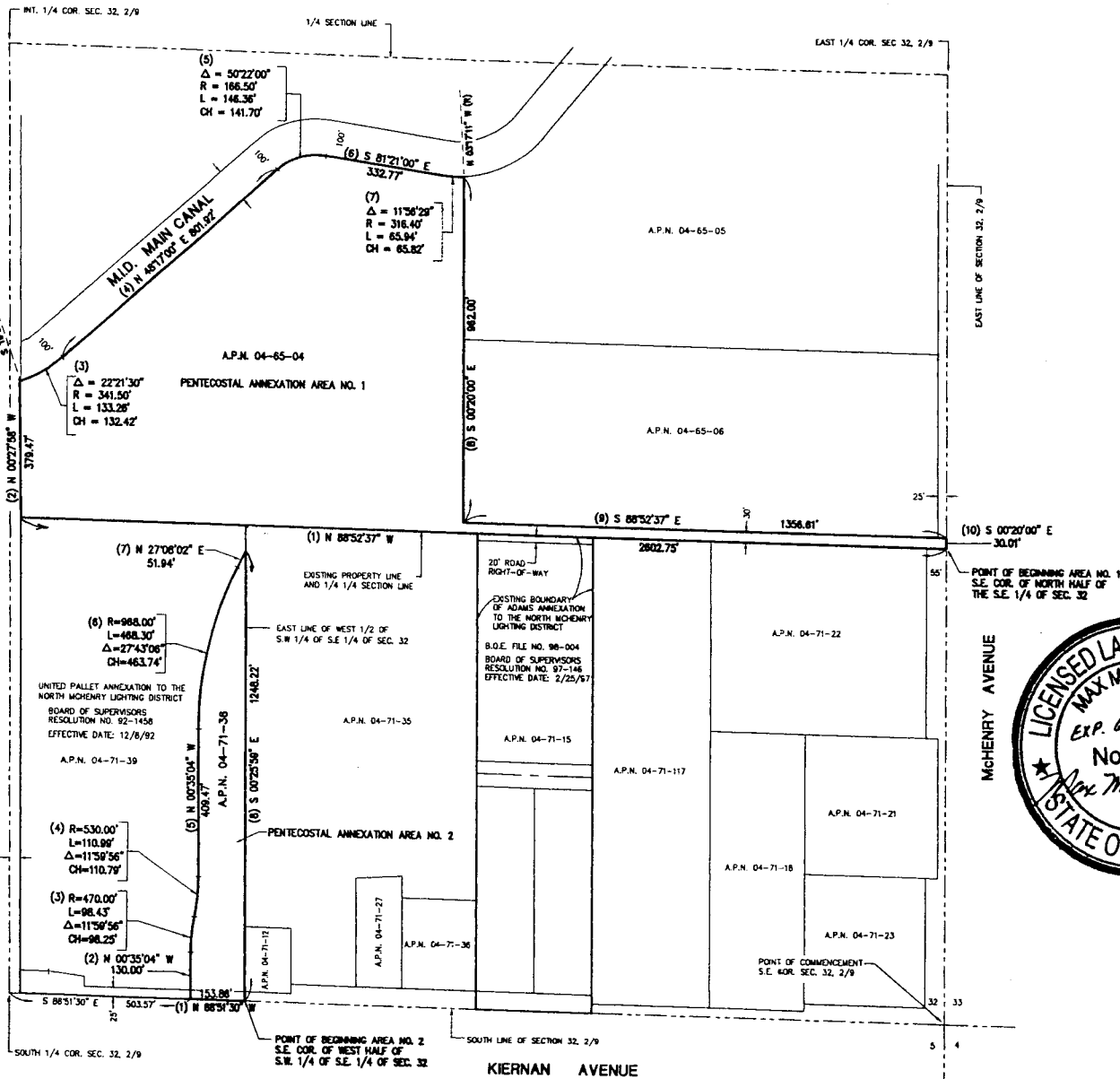
- 1) thence North 88°51'30" West along the south line of said west half, a distance of 153.86 feet;
- 2) thence North 00°35'04" West, a distance of 130.00 feet to the beginning of a curve concave to the east, having a radius of 470.00 feet;
- 3) thence northerly along the arc of said curve, through a 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.

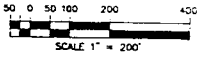


Max M. Garcia 12/9/98
Max M. Garcia, L.S. 5122 Date
License Expires: 06/30/99



VICINITY MAP

LEGEND
 (S) COURSE NUMBER
 (R) RADIAL BEARING



GARCIA-DAVIS-RINGLER ENGINEERING
 ENGINEERING/SURVEYING/PLANNING
 3841 MITCHELL ROAD, SUITE 0 GARDEN GATE, CA 90307
 TELEPHONE: (209) 636-3360 FAX: (209) 636-7370

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

Scale: 1" = 200'	Date: 12/7/98
Dwg. No. 8094ANNX	Sheet 1 of 1
Drawn: SR	Checked: MG, DB
	No. 8094

UNION PACIFIC RAILROAD

MCHENRY AVENUE

KIERNAN AVENUE

EXHIBIT "A"

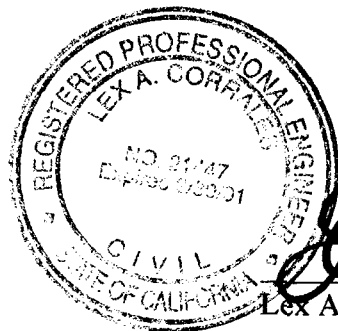
MISTLIN HONDA ANNEXATION TO THE NORTH MCHENRY LIGHTING DISTRICT

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° 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° 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° 28' 09" East 400.02 feet;
- 2) South 01° 14' 29" East 563.32 feet and
- 3) North 89° 27' 51" West 400.02 feet to the southwesterly corner of said Parcel "1";

thence continuing North 89° 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° 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.



#98436\002
2/24/99

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

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

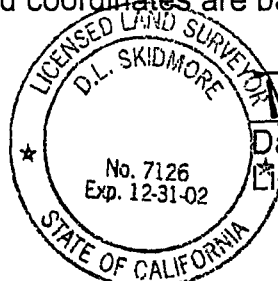
ALL that certain real property situate in the County of Stanislaus, State of California and lying within a portion of the Southeast Quarter of Section 5, Township 3 South, Range 9 East, Mount Diablo Meridian, being more particularly described as follows:

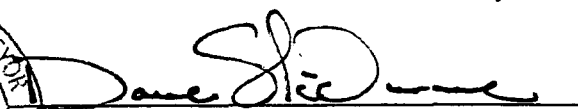
BEGINNING at the East Quarter corner of the above mentioned Section 5, with said point lying at the centerline - centerline intersection of Bangs Avenue and McHenry Avenue - State Highway No. 108 and with said point having coordinate values of Northing = 2079028.536, Easting = 6418566.323; thence 1) 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.

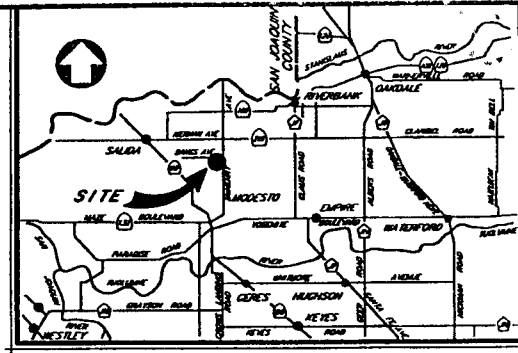
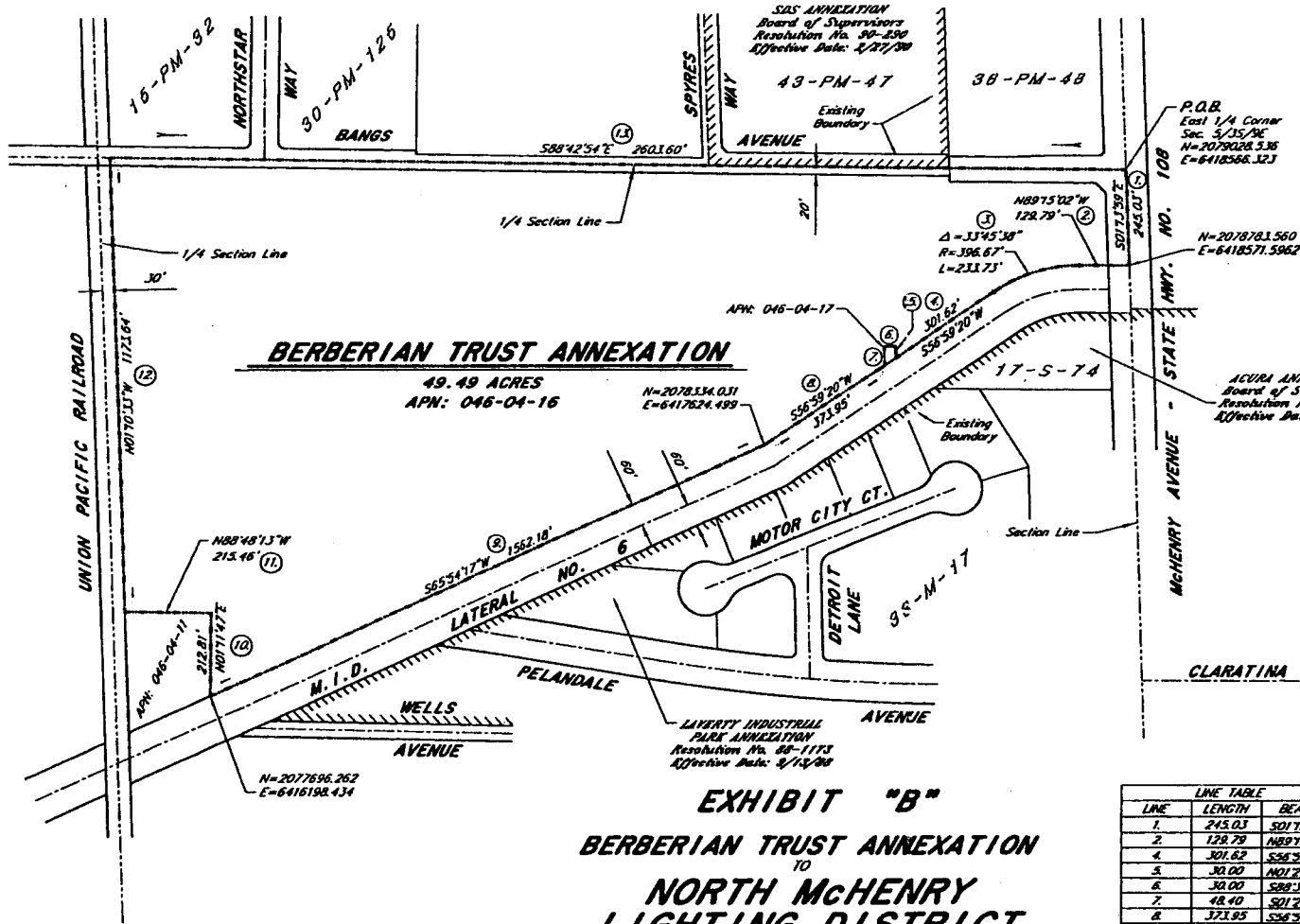
SUBJECT TO all easements and/or rights-of-way of record.

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



VICINITY MAP
NO SCALE

OWNERS: Dianne Barberian Gazarian & Arnold Gazarian - Trustees of the Hoig and Isabel Barberian Family Trust
1301 COFFEE ROAD, SUITE 2
MODESTO, CA. 95335

ACURA ANNEXATION
Board of Supervisors
Resolution No. 08-174
Effective Date: 2/08/08



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	BEARING
1.	245.03	S017°59'2"E
2.	129.79	N89°15'02"W
4.	301.82	S56°59'20"W
5.	38.00	N01°29'00"W
6.	38.00	S88°31'00"W
7.	48.40	S01°29'00"E
8.	373.95	S56°59'20"W
9.	1562.18	S65°54'17"W
10.	212.81	N01°14'2"E
11.	215.46	N88°48'13"W
12.	1173.64	N01°10'33"W
13.	2603.60	S88°42'54"E

CURVE TABLE			
CURVE	DEL.TA	RADIUS	LENGTH
3.	33°45'38"	396.67	233.73

BASIS OF BEARINGS :
The bearing of South 00°41'43" East between GPS Monuments 2824 and 2724, as shown in Book 22 of Surveys of Page 51, Stanislaus County Records, was used as the basis for all bearings shown hereon.

MID-VALLEY ENGINEERING
900 "H" STREET - SUITE "G"
MODESTO, CALIFORNIA 95354
(209) 526-4214
JOB NO. 08-0308

EXHIBIT "A"
LEGAL DESCRIPTION

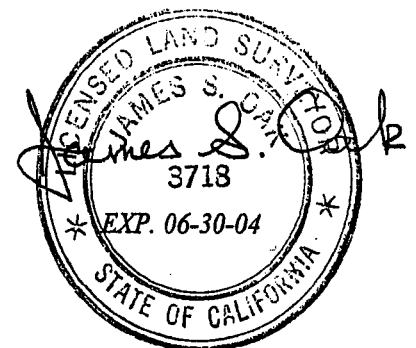
**SMITH TRUST ANNEXATION
TO THE
NORTH McHENRY LIGHTING DISTRICT**

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.





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
P.C.C. 10,024
Dennis E. Wilson
Planning Consultant
P.O. Box 1448
Modesto, California
95353
phone 209.491.7620
fax 209.491.7626

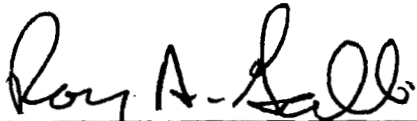
Beginning at a point marking the southwest corner of Parcel B, as said Parcel B is shown on the map filed for record in Book 36 of Parcel Maps, at Page 48, Stanislaus County Records, said point is also the centerline – centerline intersection between Bangs Avenue and Spyres Way; thence in a westerly 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 000-5 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.

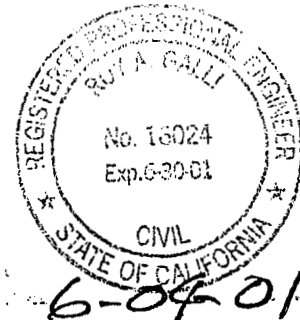
SUBJECT TO: All easements and/or rights-of-way of record.

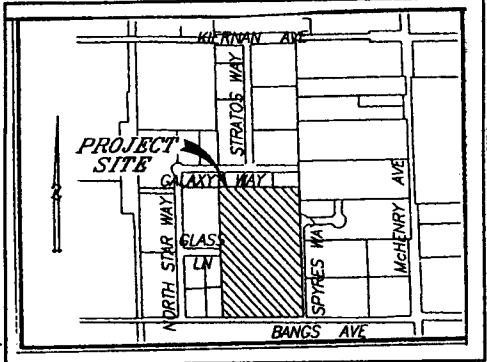
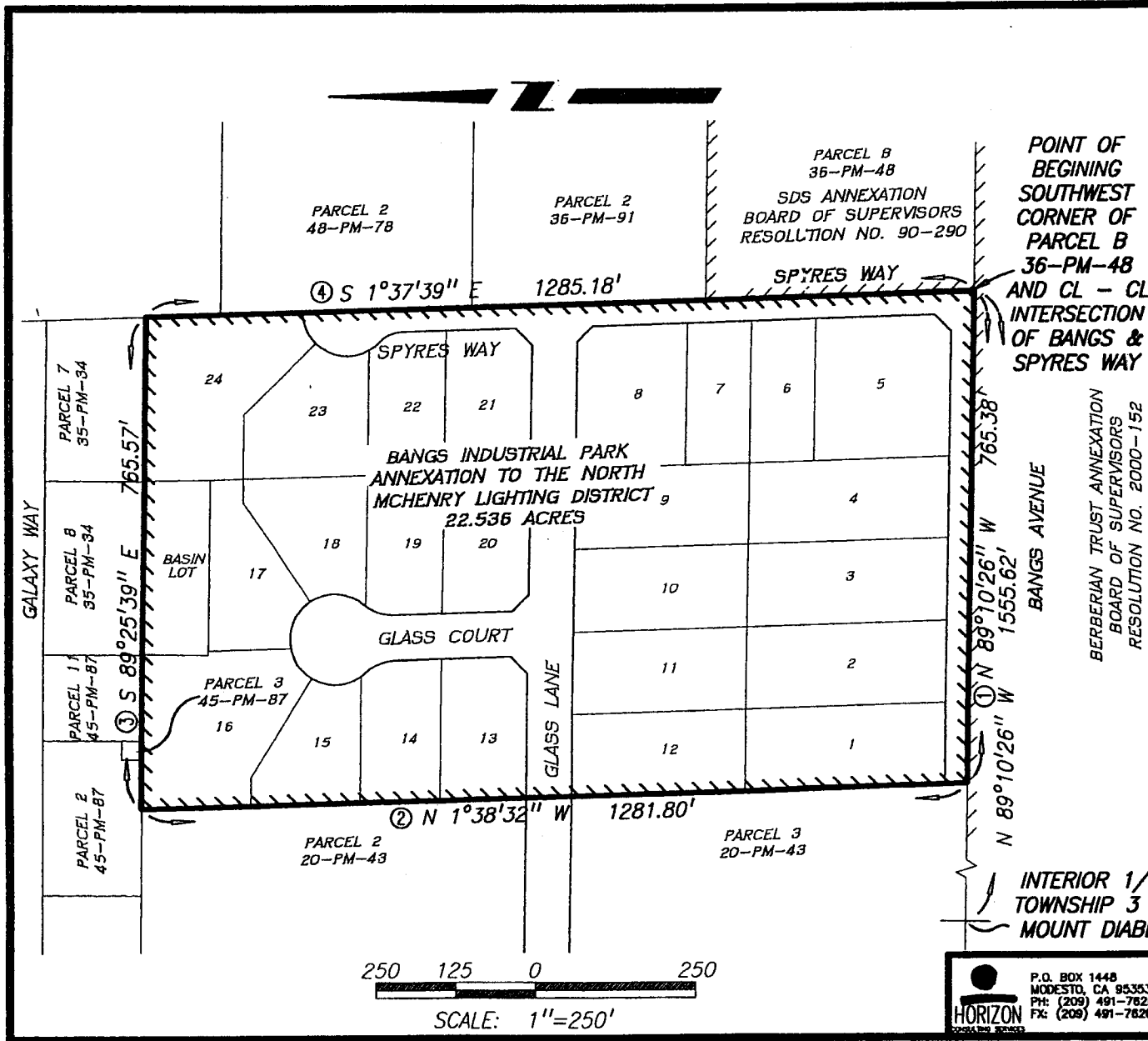
Containing: 22.536 acres of land more or less.



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

April 6, 2001





VICINITY MAP
NTS

BASIS OF BEARING
 N 1°37'39" W
 WESTERLY LINE OF PARCEL B
 36 PM 48

INTERIOR 1/4 CORNER, SECTION 5;
 TOWNSHIP 3 SOUTH; RANGE 9 EAST;
 MOUNT DIABLO BASE AND MERIDIAN

P.O. BOX 1448
 MODESTO, CA 95353
 PH: (209) 491-7820
 FX: (209) 491-7828

EXHIBIT 'B'
 BANGS INDUSTRIAL PARK
 ANNEXATION TO THE NORTH
 MCHENRY LIGHTING DISTRICT

DRAWN BY: JA
 DATE: 06/01/2001 15:37
 SHEET: 1 OF 1
 FILE: 110100

10 9-033 86 19 01

EXHIBIT "A"

B & D Industrial Park Annexation to North McHenry Lighting District

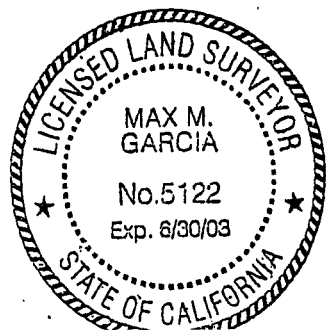
Parcel 2 as shown on the parcel map recorded in Book 35 of Parcel Maps, Page 91, Stanislaus County Records, lying in Section 32, Township 2 South, Range 9 East, Mount Diablo Base and Meridian, situate in the County of Stanislaus, State of California, described as follows:

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.



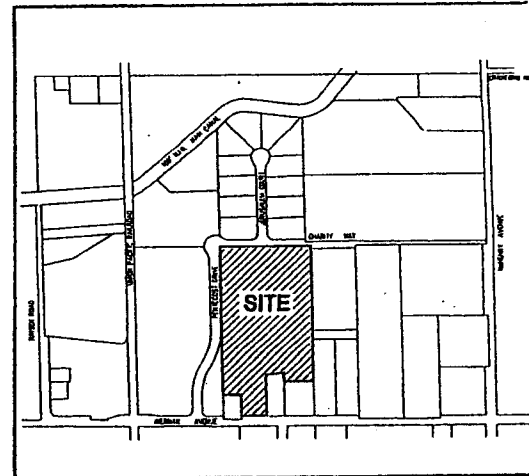
Max M. Garcia 8/6/01
Max M. Garcia, L.S. 5122 Date
License Expires: 06/30/03

09450 JAN 23 02

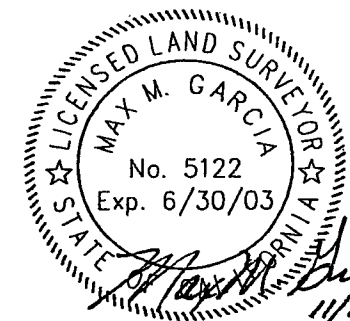
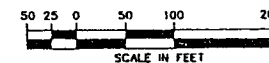
PENTECOSTAL ANNEXATION AREA NO. 1

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

REMAINDER
 50-PM-59



VICINITY MAP



GARCIA-DAVIS-RINGLEF ENGINEERING
 ENGINEERING/SURVEYING/PLANNING
 3541 MITCHELL ROAD, SUITE D Ceres, CA 9530
 TELEPHONE: (209) 538-3360 FAX: (209) 538-737

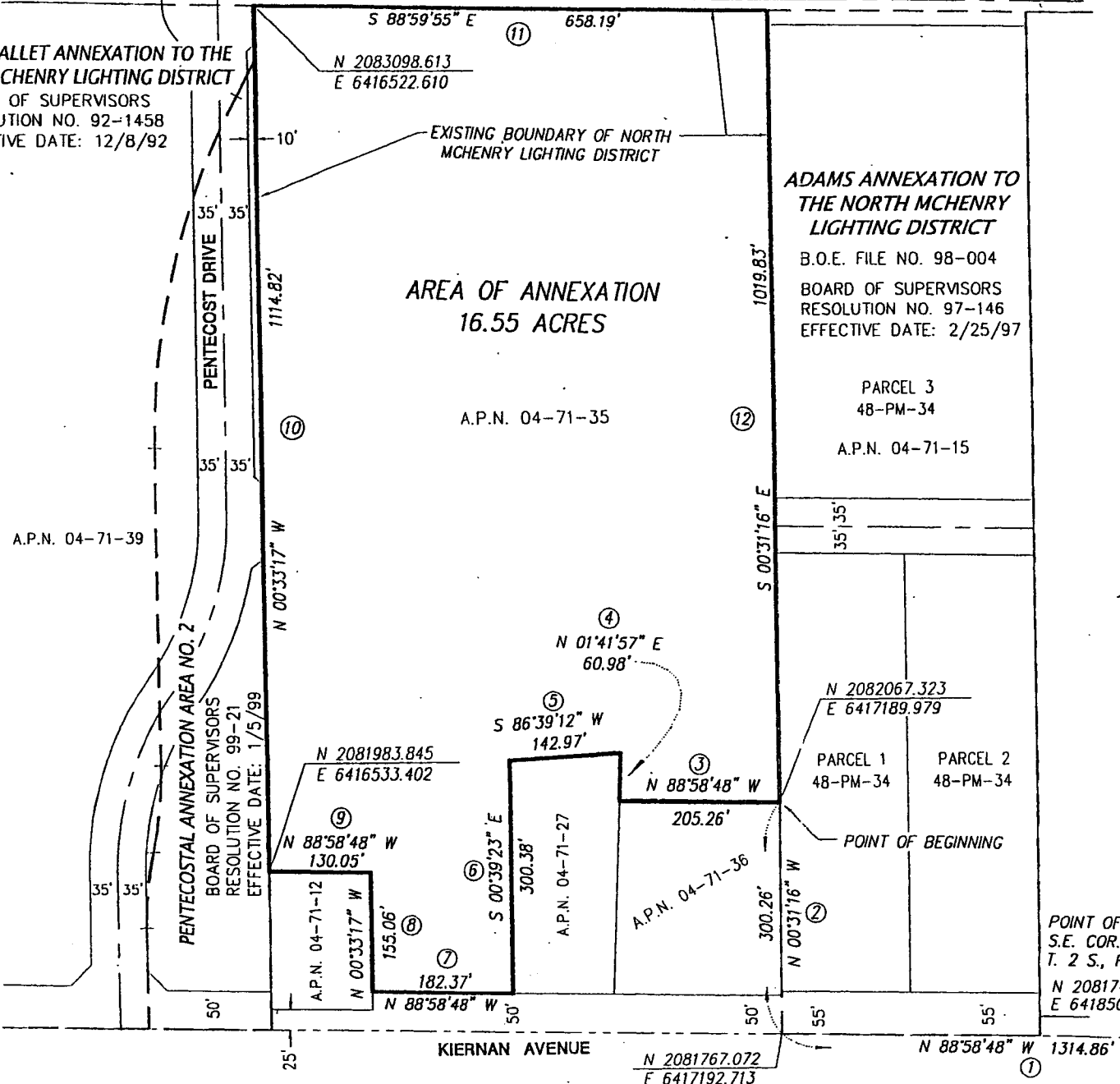
EXHIBIT "B"
B & D Industrial Park Annexation to North McHenry Lighting District
 County of Stanislaus, State of California

Scale: N.T.S. Date: 7/26/01
 Dwg No. 1029ANNEX
 Drawn: SH
 Checked: MG
 Sheet 1 of 1
 Job No. 01029

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

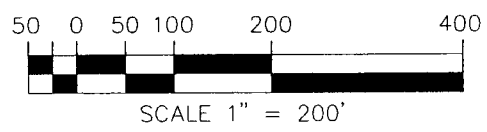
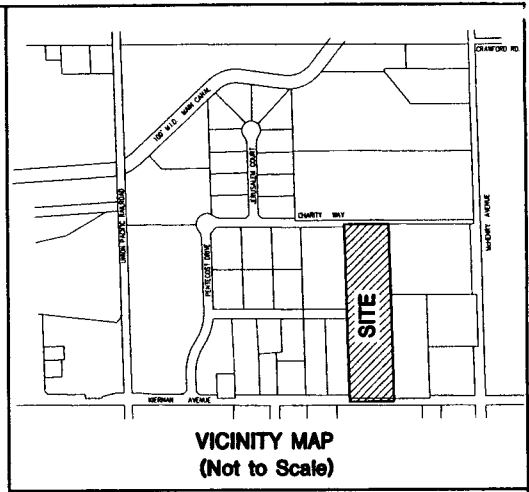
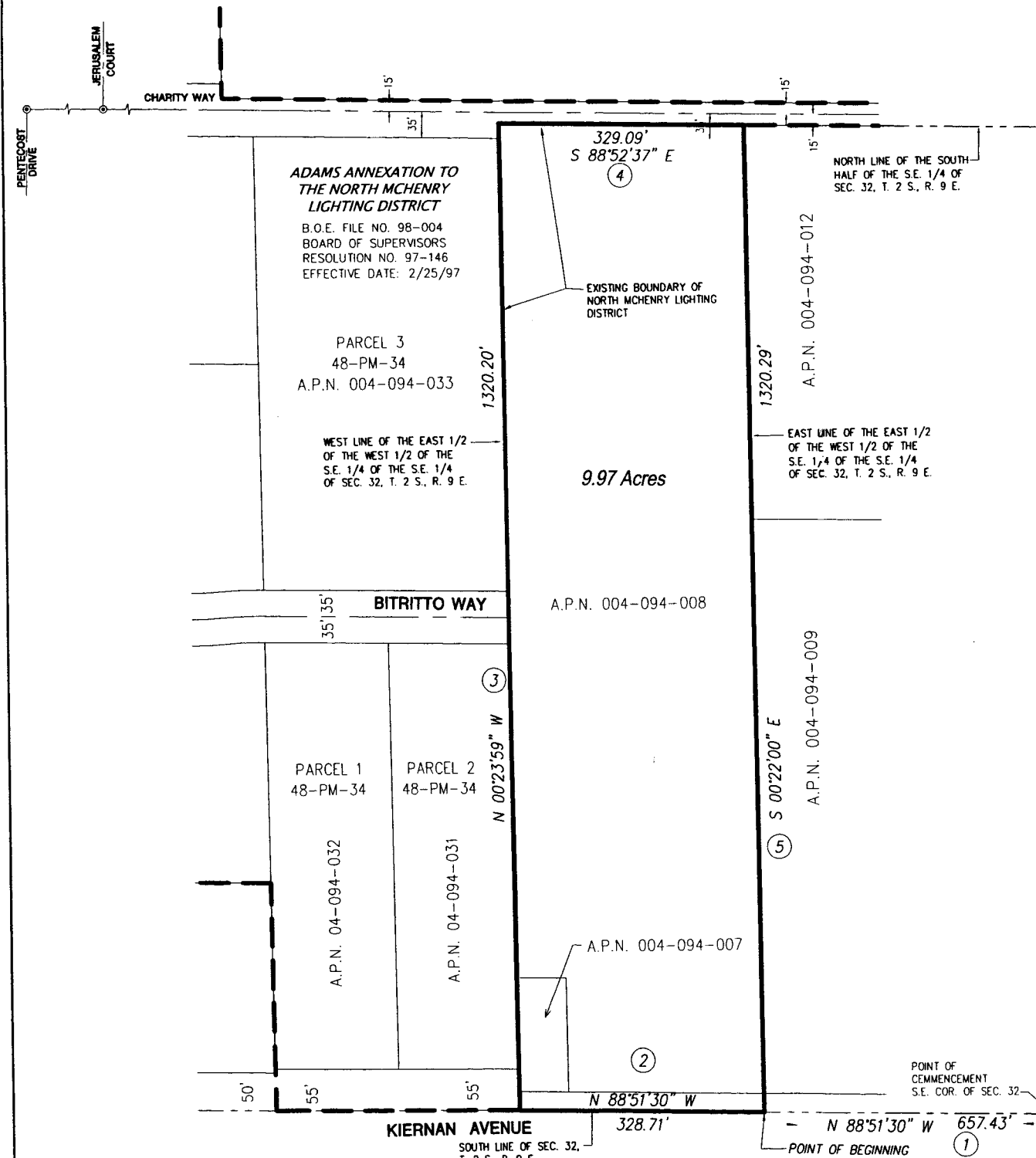
ADAMS ANNEXATION TO THE NORTH MCHENRY LIGHTING DISTRICT
 B.O.E. FILE NO. 98-004
 BOARD OF SUPERVISORS
 RESOLUTION NO. 97-146
 EFFECTIVE DATE: 2/25/97

AREA OF ANNEXATION
16.55 ACRES

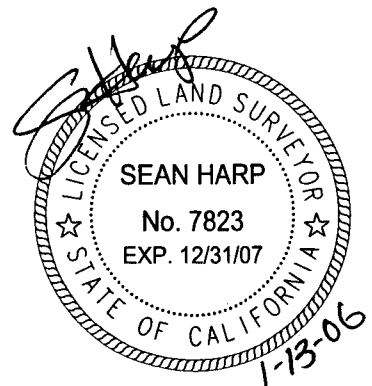


091450 JAN 23 02

PENTECOSTAL ANNEXATION AREA NO. 1



MCHENRY AVENUE



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 Bros. Annexation to North McHenry Lighting District
 County of Stanislaus, State of California

Date: January, 2006

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

EXHIBIT "A"
LEGAL DESCRIPTION

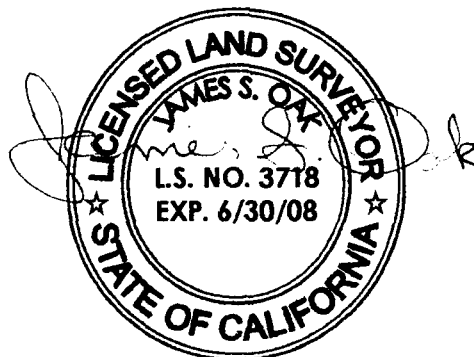
REZONE APPLICATION NO. 2005-15-CARMAX MODESTO
A.P.N. 082-009-016, 017, 018, & 019
ANNEXATION OF TERRITORY TO THE
NORTH MCHENRY LIGHTING DISTRICT

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.

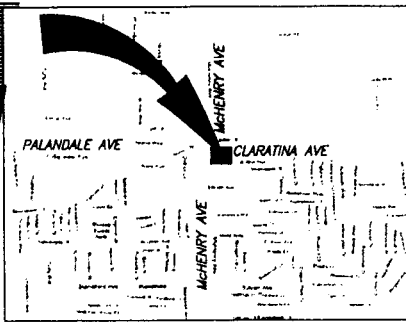
Bearings, distances are based on California Coordinate System, NAD83.



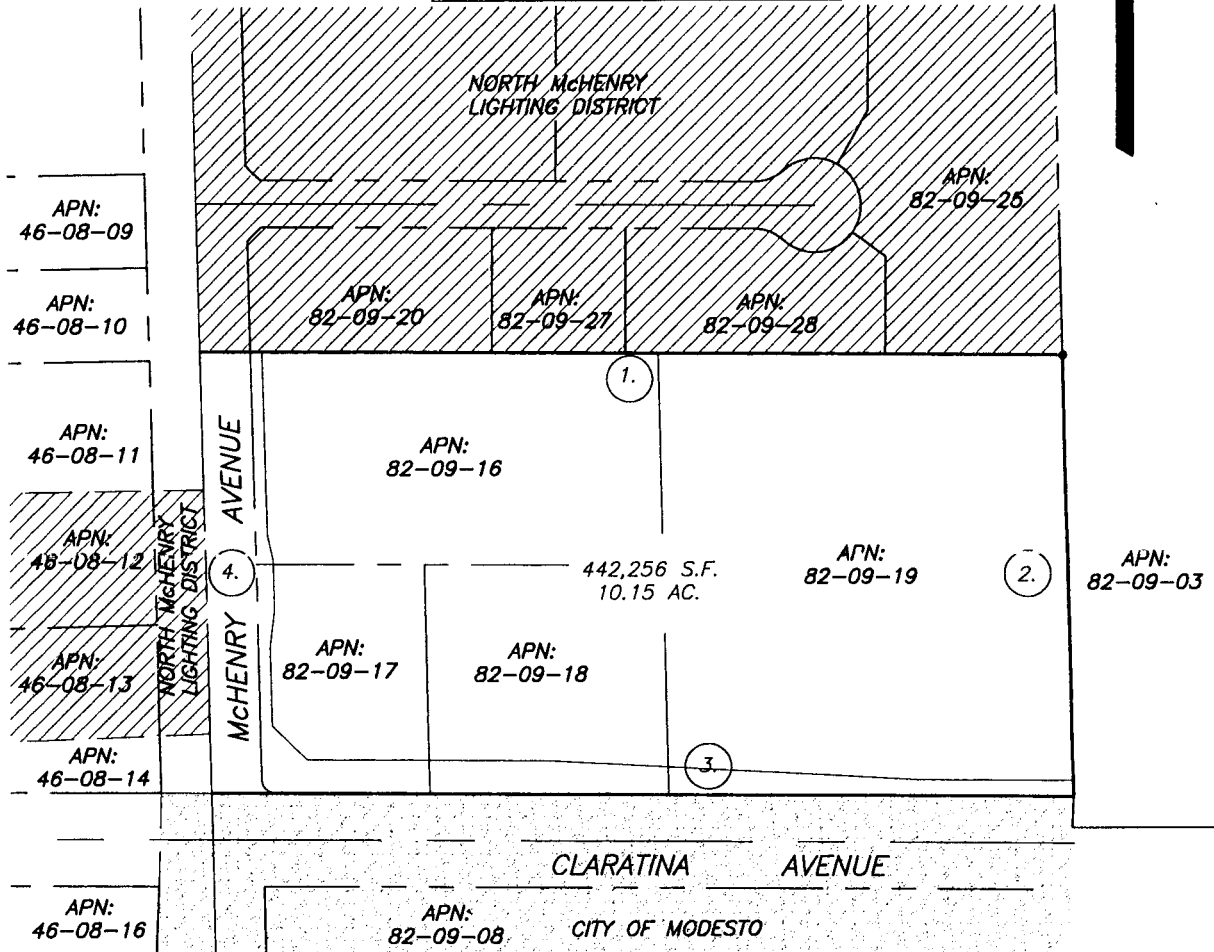
PROJECT LOCATION

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.

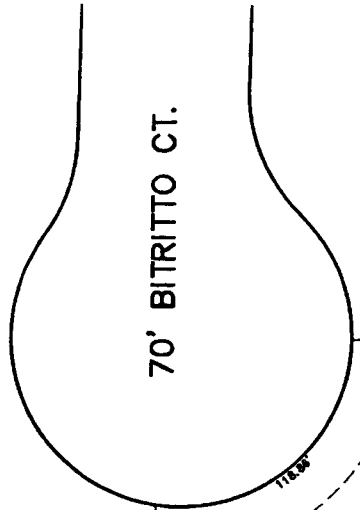
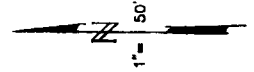
1

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



094

366.83' C
KIERNAN BUSINESS CENTER

48.10'	24.40'	24.40'	24.40'	24.40'	24.40'	24.40'	24.40'	48.40'	99.10'
628	632	636	640	644	648	652	656	660	
001	002	003	004	005	006	007	008	009	
2500 SF.	1250 SF.	1250 SF.	1250 SF.	1250 SF.	1250 SF.	1250 SF.	2500 SF.	5000 SF.	
48.10'	24.40'	24.40'	24.40'	24.40'	24.40'	24.40'	48.40'	99.10'	
48.10'	24.40'	24.40'	24.40'	24.40'	24.40'	24.40'	48.40'	99.10'	
666	662	668	674	680	676	672	668	664	
018	017	016	015	014	013	012	011	010	
2500 SF.	1250 SF.	1250 SF.	1250 SF.	1250 SF.	1250 SF.	1250 SF.	2500 SF.	5000 SF.	
48.10'	24.40'	24.40'	24.40'	24.40'	24.40'	24.40'	48.40'	99.10'	

15' P.U.E.

54-PM-34

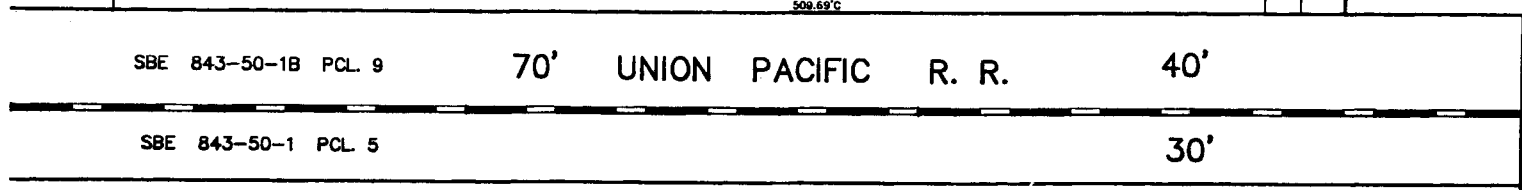
"1"
019
1.83 AC.±

COMMON AREA

094

KIERNAN AVE. (VARIABLE)

046-010



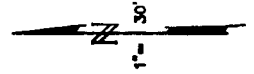
057

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

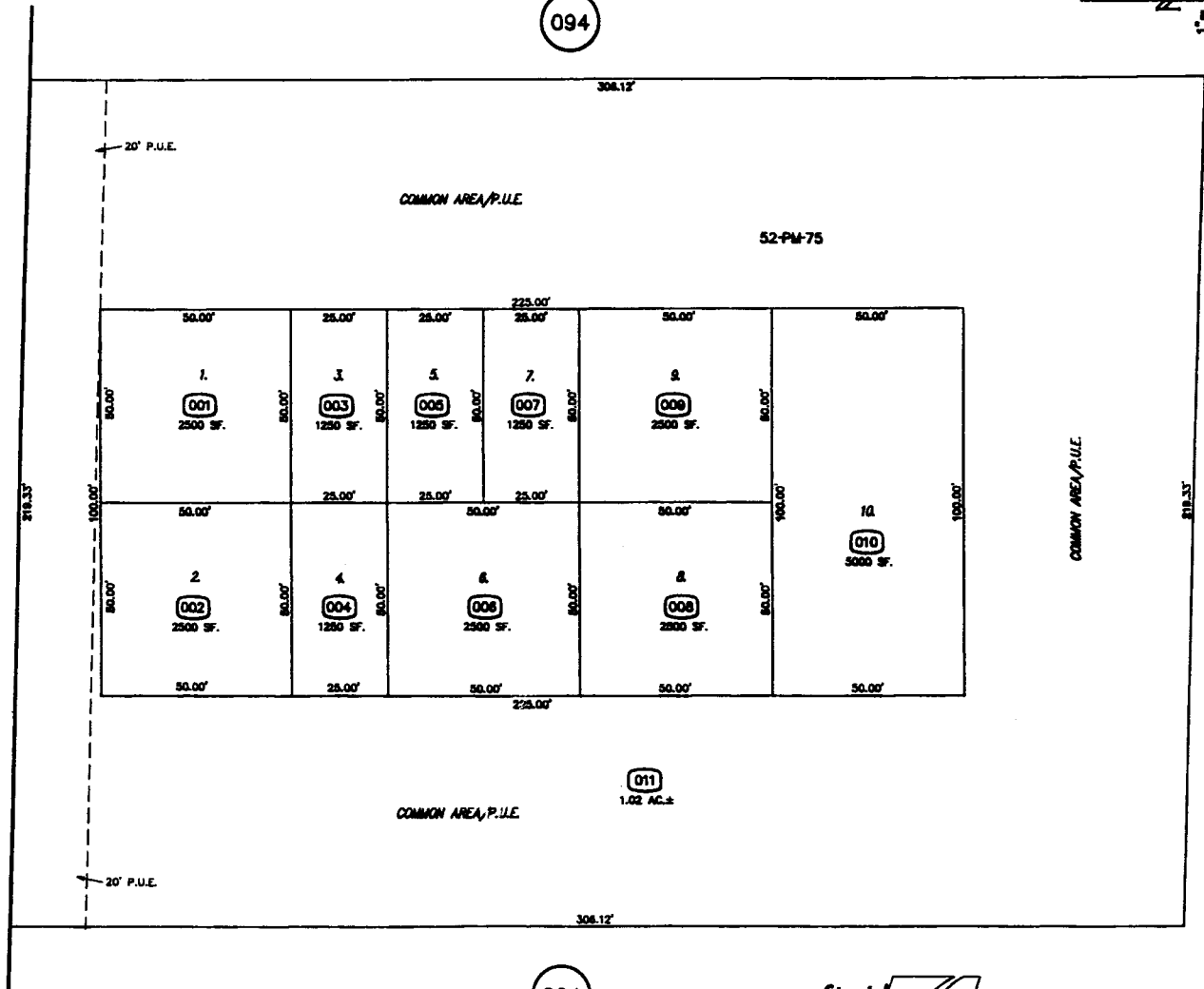


004 - 097

THIS MAP FOR
ASSESSMENT PURPOSES ONLY



094



094

094



065

70' CHARITY WAY

JERUSALEM COURT

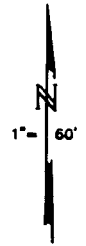
FROM: 004-094
DRAWN: 7-29-04 MF
REVISED: *

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

100' M.I.D.

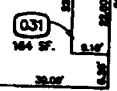
MAIN CANAL

70' R/W UNION PACIFIC CORP. R.R.

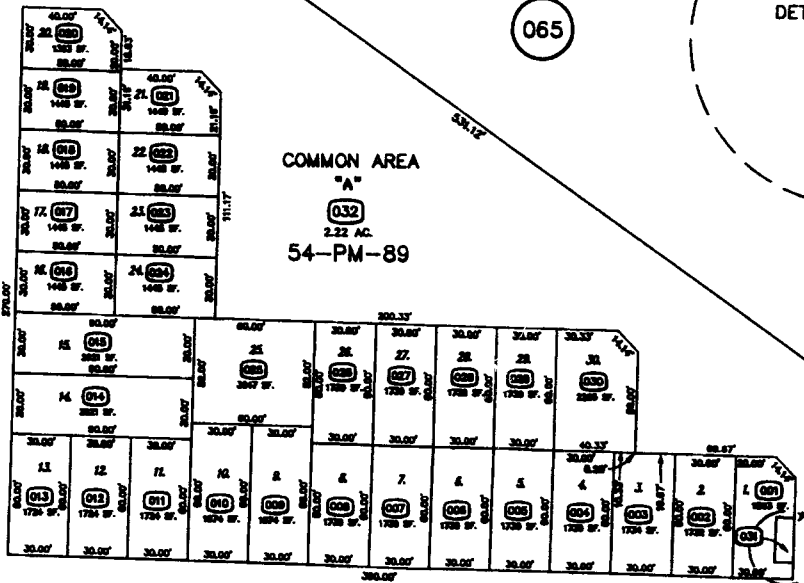
SBE 843-50-1B PCL. 8

STERLING INDUSTRIAL CENTER
COMMERCIAL CONDOMINIUMS

ELECTRICAL ROOM
DETAIL (A)

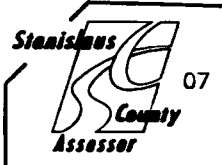


COMMON AREA
"A"
032
2.22 AC.
54-PM-89



CHARITY WAY 70'

PENTECOST DR. 70'



004 - 098

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

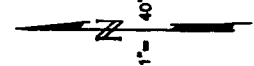
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094

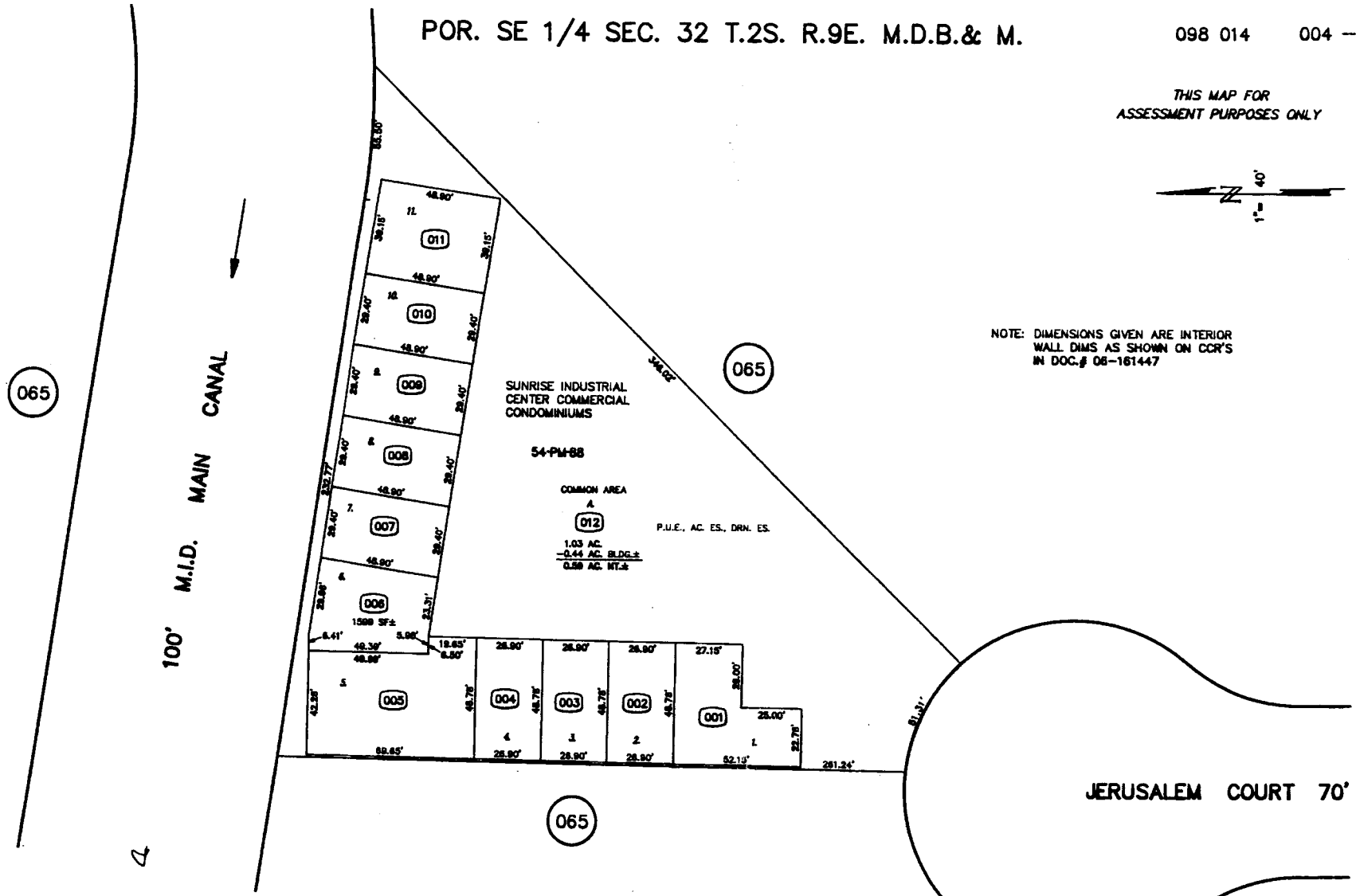
POR. SE 1/4 SEC. 32 T.2S. R.9E. M.D.B.& M.

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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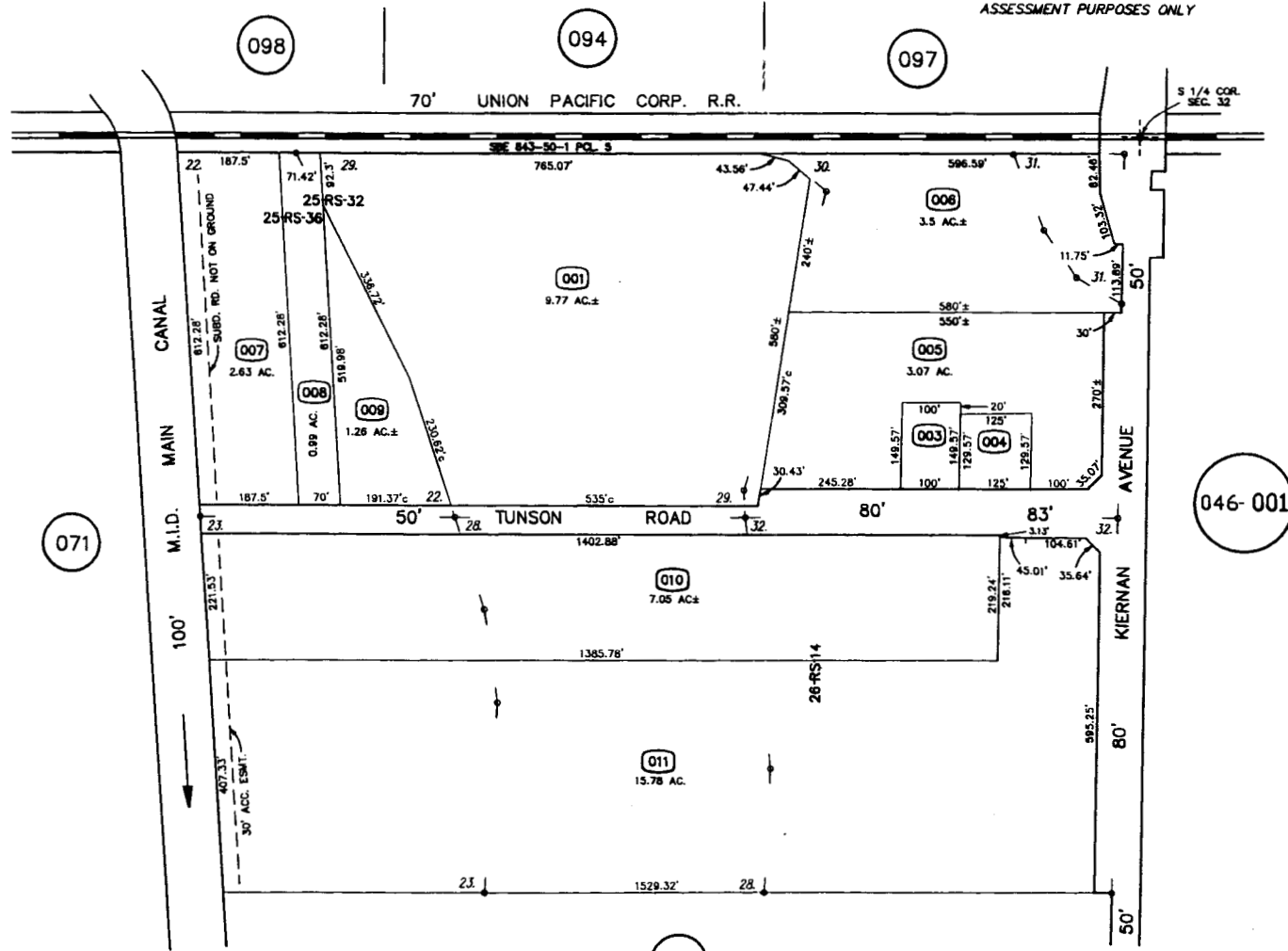
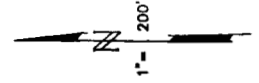
004 - 099

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



071

046-001

071

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

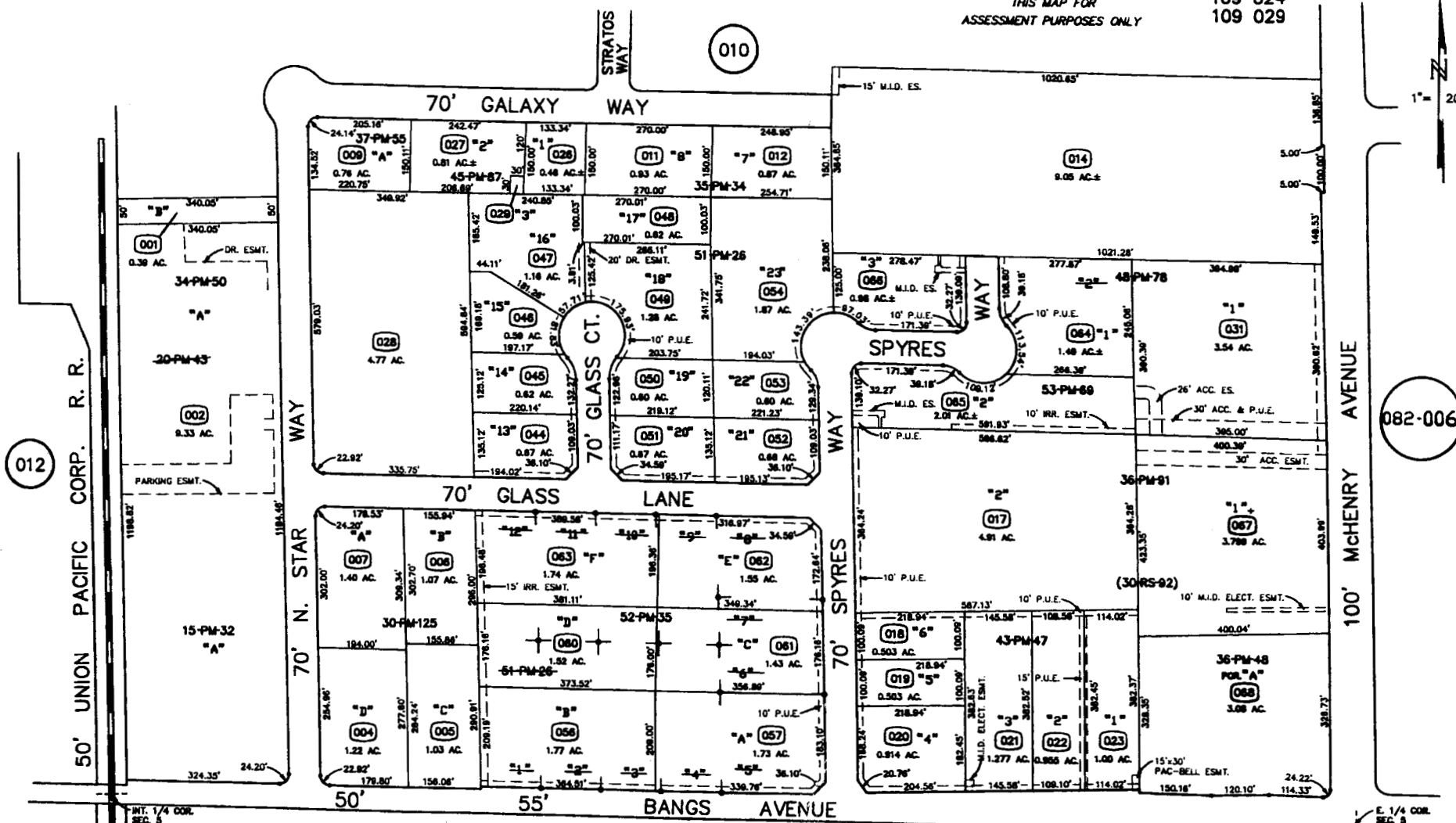
004 - 057

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

THIS MAP FOR
ASSESSMENT PURPOSES ONLY

046 - 011



012

010

082-006

004

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

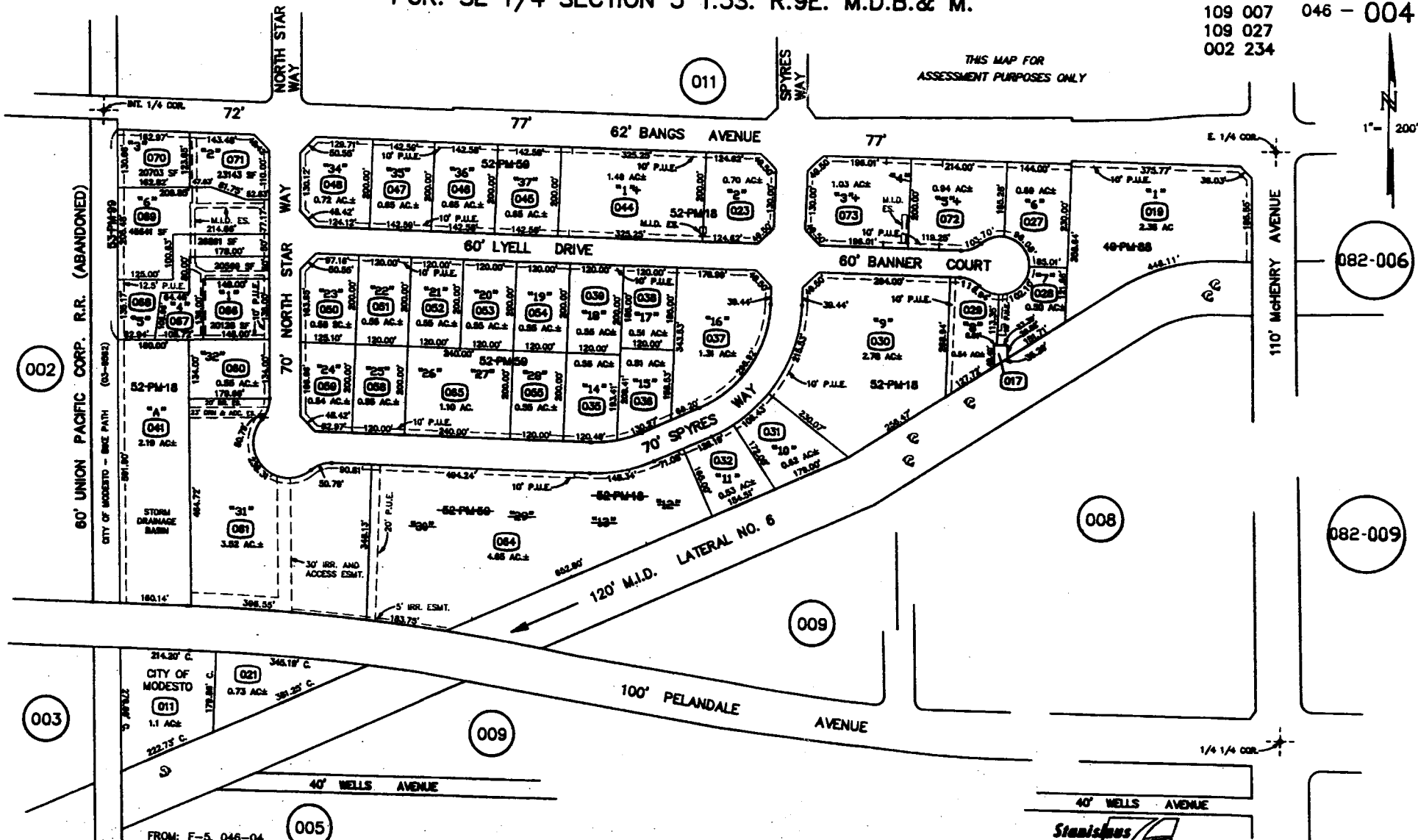


91,99,02,03,04,06,09

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

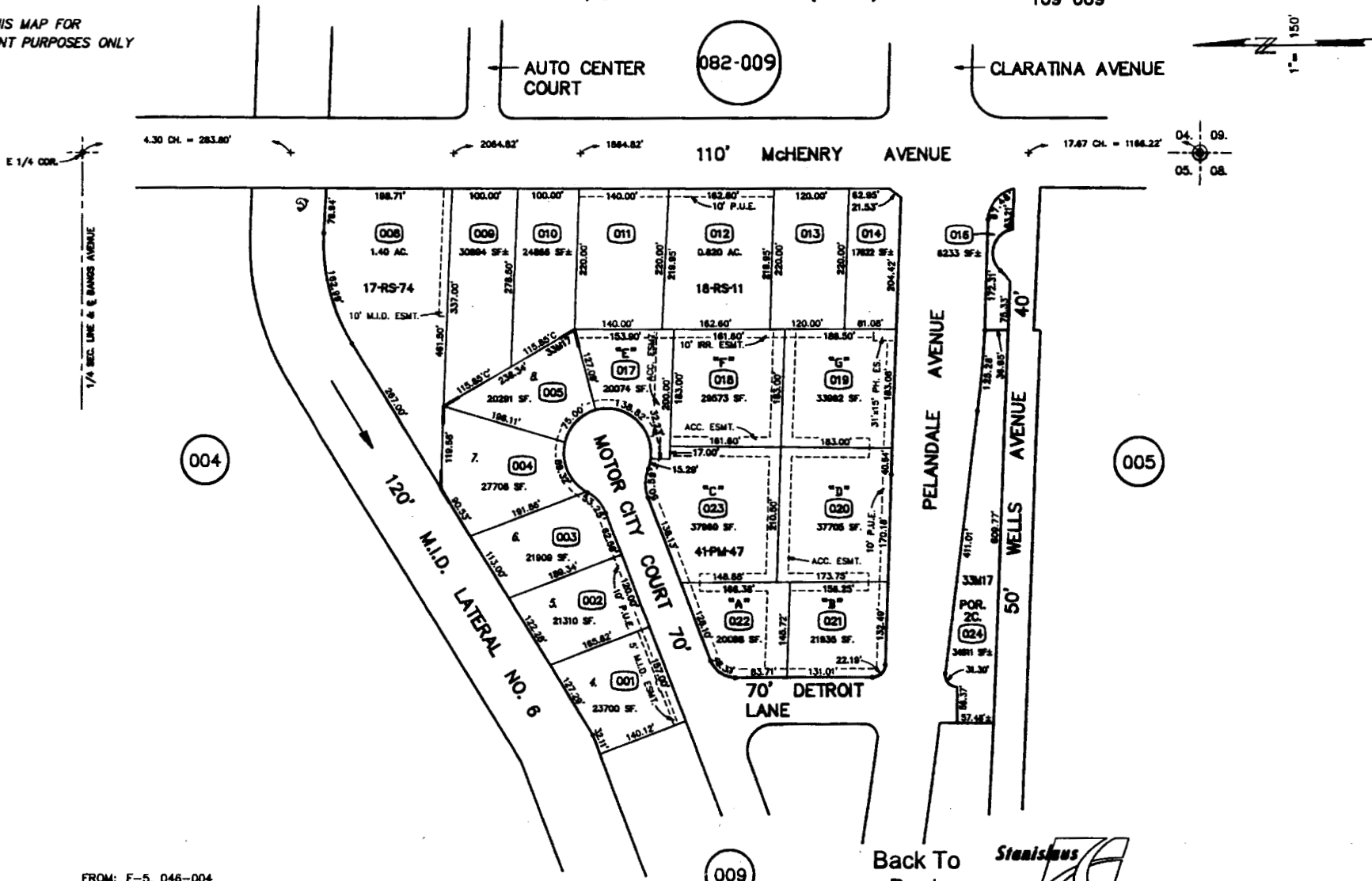


61,01,02,04,05,06,07

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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Back To
 Book
 Index



61,89,92,02

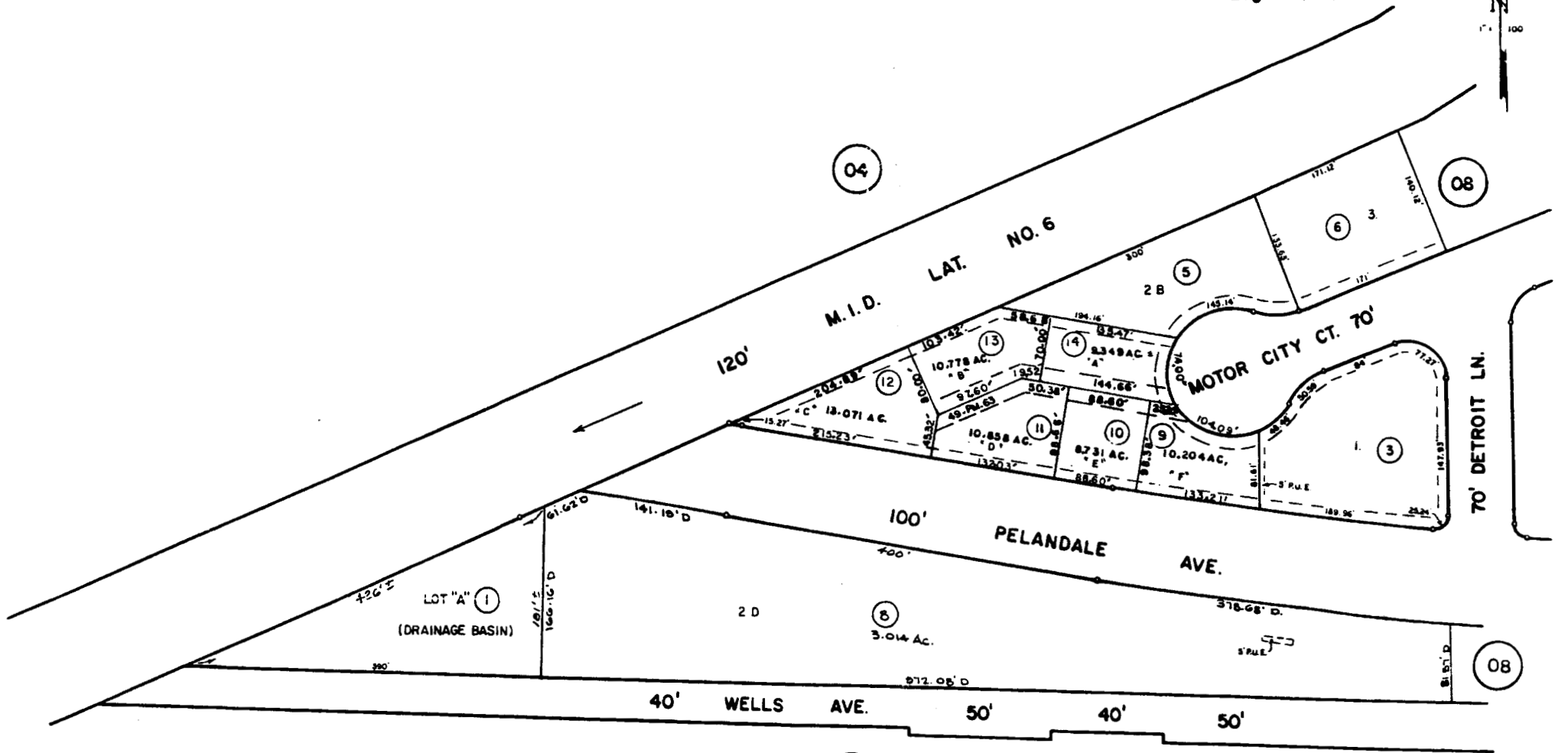
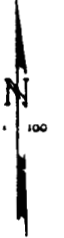
046 - 008

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 P-5, 46-04
 33-M-17
 9-2-88
 UPDATED 2-13-92 CS
 10-M-79 NC
 2-11-99 NB.

Back To
 Book
 Index



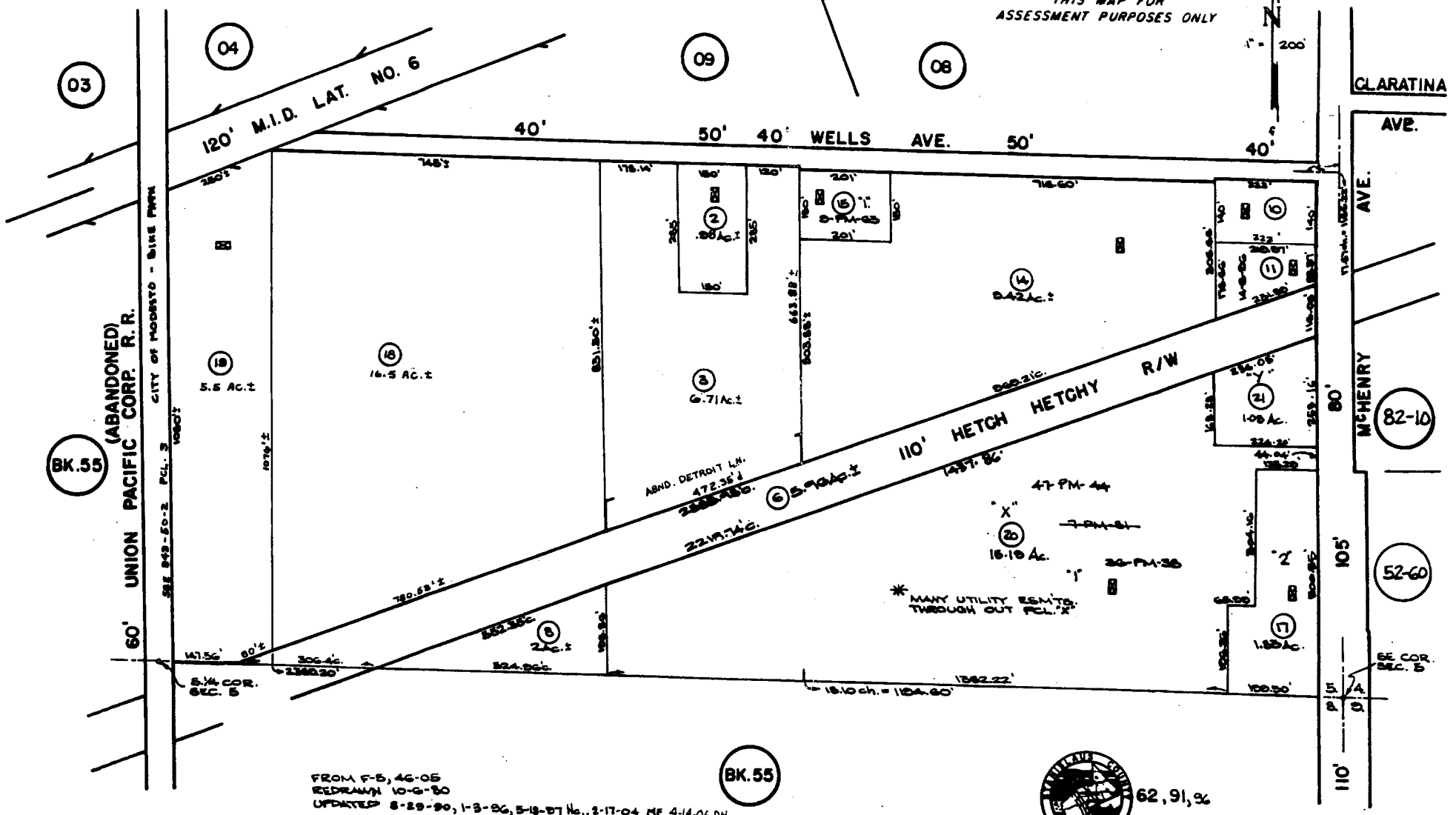
89,92.00
 46-09

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

109 07

46 - 05

THIS MAP FOR ASSESSMENT PURPOSES ONLY



(ABANDONED)
UNION PACIFIC CORP. R.R.

CITY OF MODesto - BIRCH PARK
SEE 842-50-2 PCL. 3 1000'

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

WELLS AVE.

110' HETCH HETCHY R/W

CLARATINA AVE.

MC HENRY AVE.

03

04

09

08

BK.55

19
5.5 AC.±

18
16.5 AC.±

2
1.88 AC.±

5
2.1 PM-83
20'

11
2.2 AC.±

3
6.71 AC.±

ABAND. DETROIT L.M.
472.36'±
228.455'

6
5.90 AC.±

21
1.09 AC.±

82-10

20
15.10 AC.±

52-60

1
2.1 AC.±

17
1.82 AC.±

1/4 COR. SEC. 5

SE COR. SEC. 5

FROM F-5, 46-05
REDRAWN 10-6-80
UPDATED 8-29-90, 1-3-96, 5-18-97 No., 2-17-04 MF, 4-14-06 DH

BK.55



62, 91, 96

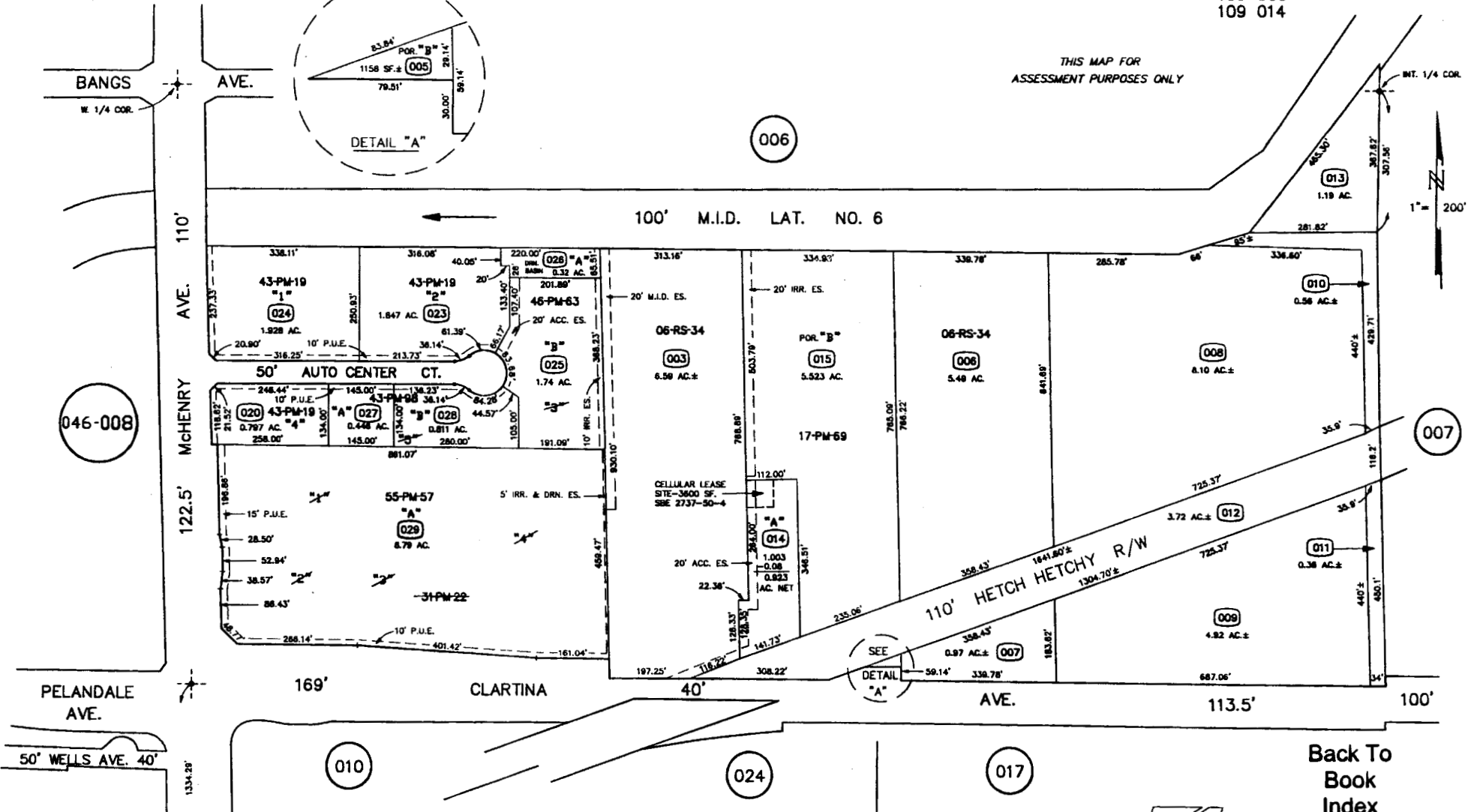
46 - 05

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



046-008

006

007

010

024

017

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

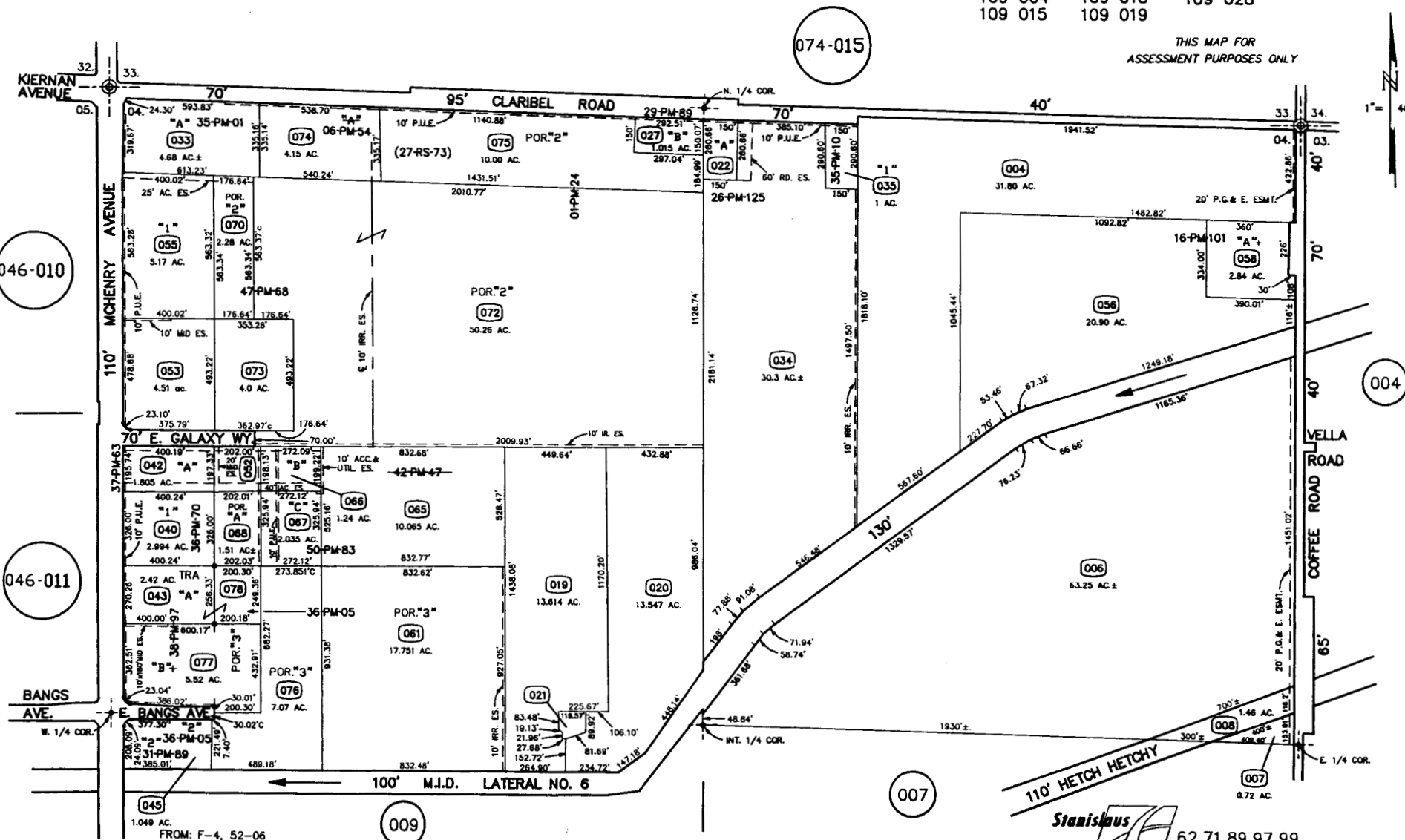
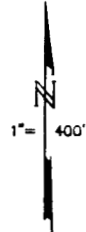
Back To
Book
Index

082 - 009

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

THIS MAP FOR
 ASSESSMENT PURPOSES ONLY



046-010

046-011

074-015

004

007

009

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



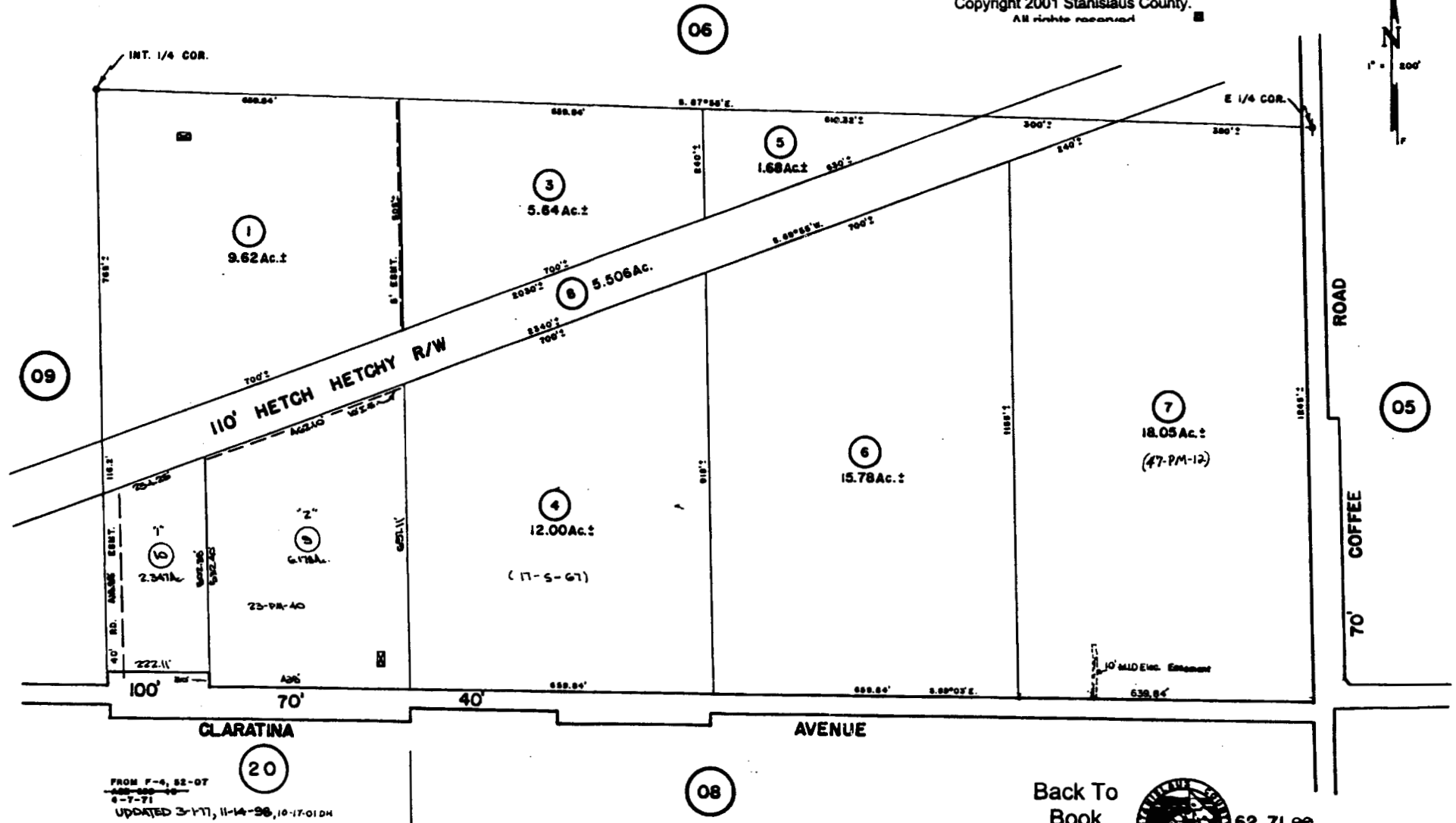
62,71,89,97,99
 00,02,04,05,09

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, 82-07
4-7-71
UPDATED 3-17-77, 11-14-98, 10-17-01 DM

Back To
Book
Index



62,71,99

82-07