

BEFORE
THE BOARD OF DIRECTORS
OF COUNTY SERVICE AREA NO. 22 OF
THE COUNTY OF MADERA
STATE OF CALIFORNIA

In the Matter of) Resolution No. 2022 - _____
)
MADERA COUNTY) A RESOLUTION TO ANNEX
PUBLIC WORKS DEPARTMENT) PROPERTIES INTO ZONE OF
) BENEFIT "D" WITHIN COUNTY
) SERVICE AREA 22
_____)

WHEREAS, on January 15, 2019, the County approved the Tentative Subdivision Map S2014-008 (Riverstone). The property described therein is located on the south side of Avenue 12, approximately 0.25 miles west of its intersection with Highway 41; and

WHEREAS, the County of Madera Local Agency Formation Commission by Resolution No. 2014-002, on November 5, 2014, annexed Riverstone into CSA-22; and

WHEREAS, the Developer and owner of Riverstone requested that Zone of Benefit "D" be formed within CSA-22 to provide specific Operation and Maintenance services; and

WHEREAS, the initial boundaries of the proposed Zone of Benefit "D" were established by Resolution 2016-226; and

WHEREAS, the Operation and Maintenance services to be performed within Zone of Benefit "D" will be financed by direct annual assessment and fees on Single Family Dwellings (attached and detached) and non-residential land use (commercial) within the Zone of Benefit and assessments have been levied on certain properties within Zone of Benefit "D" by Board Resolution 2016-227; and

WHEREAS, Government Code Section 25217, et seq., authorizes the Board of Supervisors to change the boundaries to a Zone of Benefit, and

WHEREAS, by this Resolution, the Board desires to annex Villages C, D & E of Riverstone project into Zone of Benefit “D” within CSA-22 as shown in Exhibit “A;” and

WHEREAS, the Board has reviewed the executed “Waiver of Rights and Consent” document, attached hereto as Exhibit “B,” signed by all property owners within the area proposed to be annexed into Zone of Benefit “D” within CSA-22; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Madera, State of California, acting as the Board of Directors of CSA-22, Zone of Benefit “D”, as follows:

1. The property owners owning all property within proposed Villages C, D & E of Zone of Benefit “D” have executed a “Waiver of Rights and Consent to the Annexation into Zone of Benefit “D” within Madera CSA-22”, and, therefore, a Resolution of Intention, notice and public hearing have been waived, and, on the basis of these waivers, the Board hereby annexes properties described herewith in Exhibit “A” consisting of Villages C, D & E into Zone of Benefit “D.”

2. Through Zone of Benefit “D”, including the properties annexed by this Resolution, those services listed on Exhibit “C” will be provided by the County.

3. The services provided by the County, as listed in Exhibit “C” will be financed through assessments levied against the real property annexed by this Resolution into Zone of Benefit “D.”

4. This Resolution is effective immediately.

5. The Director of Public Works is hereby authorized to take such additional steps as may be required to complete the annexation of properties into Zone of Benefit “D,” as approved by this Resolution.

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* * * * *

The foregoing Resolution was adopted this _____ day of _____, 20__ by the following vote:

Director _____ voted: _____

Director _____ voted: _____

Director _____ voted: _____

Director _____ voted: _____

Director _____ voted: _____

Chairman, Board of Directors

ATTEST:

Clerk, Board of Directors

Approved as to Legal Form:
COUNTY COUNSEL

Dale E.
By: Bacigalupi
Dale E. Bacigalupi

Digitally signed by: Dale E. Bacigalupi
DN: CN = Dale E. Bacigalupi email =
dbacigalupi@lozanosmith.com C =
US O = Lozano Smith
Date: 2022.11.29 11:05:27 -08'00'

EXHIBIT "A"

Vicinity Map

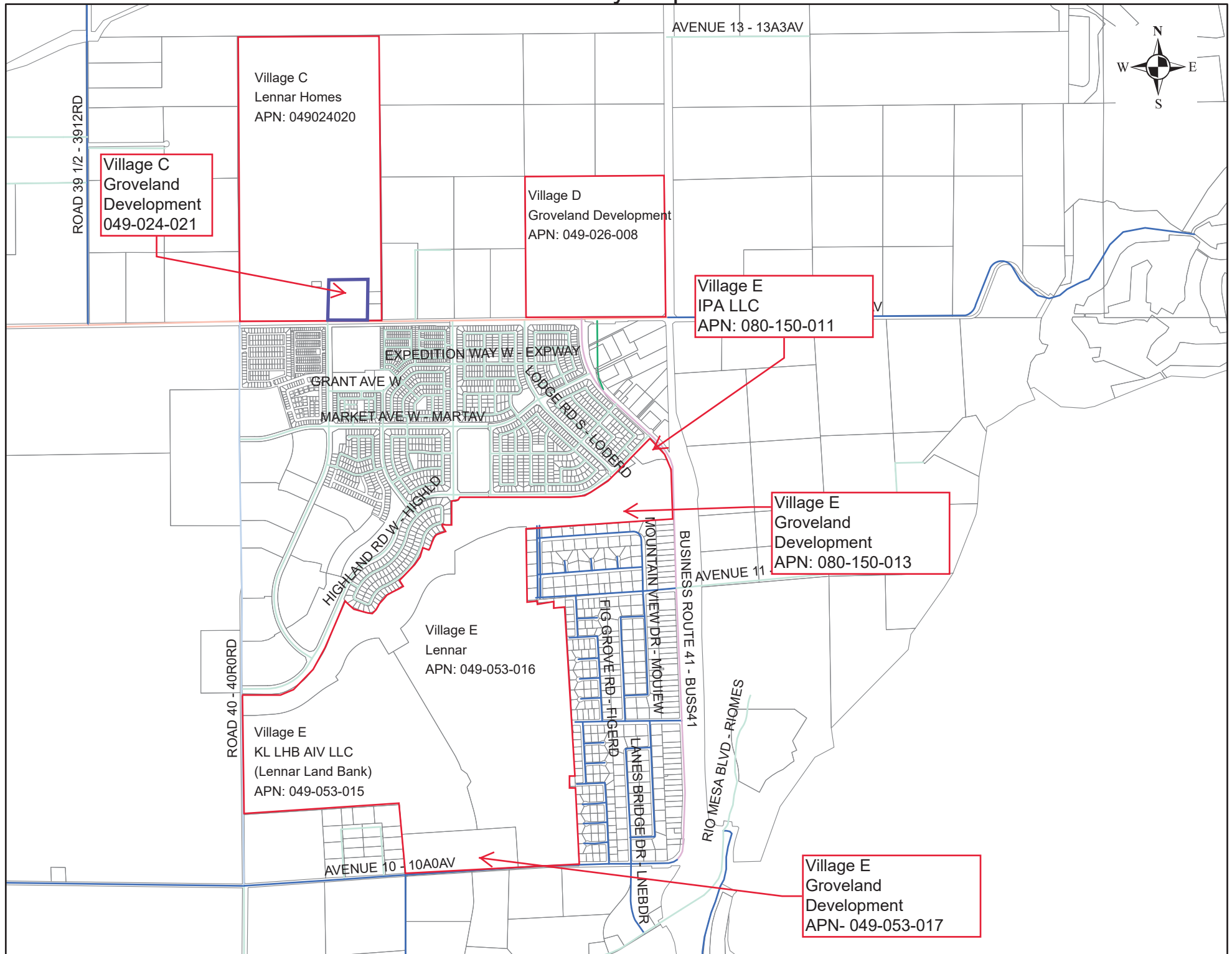


EXHIBIT "B"

WAIVER OF NOTICE, HEARING, RIGHTS OF PROTEST, AND CONSENT TO THE ANNEXATION OF PROPERTIES INTO ZONE OF BENEFIT "D" WITHIN MADERA CSA-22

The undersigned, being the owners of all real property within The Villages C, D & E boundaries of Zone of Benefit "D", within Madera CSA-22, do hereby certify on behalf of ourselves, our heirs, successors, and assigns, and represent the following facts:

1. We hereby waive our rights to legal notice, hearing, and all rights of protest, arising under Government Code sections 25216.3, 25217-25217.2 or otherwise, and consent to the annexation of our properties into Zone of Benefit "D" of CSA-22, as shown on Exhibit "A" attached hereto.

2. In granting the foregoing consent, we also waive and forever abandon our rights to appeal or to challenge the validity of said annexation.

3. We agree that the Madera County Board of Supervisors may rely on this "Waiver of Notice, Hearing, Rights of Protest, and Consent" to annex Villages C, D & E, as shown on Exhibit "A," into Zone of Benefit "D," Madera CSA-22. It is our intention, among other things, that this "Waiver of Notice, Hearing, Rights of Protest, and Consent" shall be deemed our vote in favor of the annexations shown on Exhibit "A".

4. We agree that Madera County and the Madera County Board of Supervisors have fully satisfied the requirements of law, including but not limited to, those found in the County Service Area law, Government Code sections 25217, et seq., Article XIID of the California Constitution, the provisions of Government Code section 53750, et seq., in annexing those properties shown on Exhibit "A."

5. This Waiver may be executed in counterparts, each of which when executed and delivered shall constitute a duplicate original, but all counterparts together shall constitute a single document.

[SIGNATURES TO FOLLOW ON NEXT PAGE]

LENNAR HOMES OF CALIFORNIA, LLC,
a California limited liability company

KL LHB AIV LLC, a Delaware limited
liability company

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

GROVELAND DEVELOPMENT
CORPORATION, a California corporation

IPA LLC, a California limited liability
company

By: _____
Timothy Jones, President

By: _____
Davindar Singh Mahil, Member-Manager

By: _____
Gagandip Singh Batth, Member-Manager

By: _____
Daniel G. Riley, Member-Manager

By: _____
Tejpal Singh Mahil, Member-Manager

By: _____
Kanwarjit Singh Batth, Member-Manager

EXHIBIT “C”

SERVICES TO BE PROVIDED FOR ZONE OF BENEFIT “D” WITHIN CSA-22

The following services will be provided by the Madera County Public Works Department for Zone of Benefit D within CSA-22:

Provided Service*	Funding Source
Street Maintenance	Annual Assessment
Street Sweeping	Annual Assessment
Street Light Operation & Maintenance	Annual Assessment
Landscaping Maintenance (within street RW)	Annual Assessment
Public Safety	Annual Assessment
Fire Protection & EMS	Annual Assessment

*Services will be provided to the extent that revenues allow.