

BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of Adoption of a)
Resolution of Intention to Order and)
the Ordering of the Formation of)
Assessment District No. 02-748) RESOLUTION NO. 2002-0248
TIPTON of the County of Tulare,) AGREEMENT NO. 21063
State of California, Pursuant to the)
Benefit Assessment Act of 1982.)

WHEREAS, the County of Tulare has conditionally approved the Tentative Map of Subdivision Tract No. 748 and has approved the Final Map of Subdivision Tract No. 736; and

WHEREAS, this Board of Supervisors has directed, in Resolution No. 93-1375, that the County will accept no new drainage systems in any new land division or development unless the developer provides a mechanism to fund future maintenance activities; and

WHEREAS, pursuant to Tulare County Ordinance Code Section 7-01-1375 et seq. and Condition No. 21 established by the Planning Commission in its Resolution No. 7910 approving the Tentative Map for Subdivision Tract No. 748, an assessment district is required to pay for the continuing cost of the maintenance of the storm drainage system improvements to be dedicated by the Final Map of Subdivision Tract No. 748 and the Owner/Subdivider has filed an application for and consent to form such an assessment district; and

WHEREAS, the Board of Supervisors has declared, in Resolution No. 2002-0113, its intention to levy and collect assessments within Assessment District No. 02-748-TIPTON of the County of Tulare, State of California, for Fiscal Year 2002/03 pursuant to the Benefit Assessment Act of 1982, Section 54703 et seq. of the Government Code, for the purpose of providing for the continuing cost of administration of the District and maintenance of the storm drainage system improvements to be dedicated by the Final Map of Subdivision Tract No. 748 and presently dedicated by the Final Map of Subdivision Tract No. 736, and by said Resolution No. 2002-0113 has approved the Engineer's Report; and

WHEREAS, a public meeting and hearing have been held by the Board of Supervisors respectively on April 9, 2002 at 9:30 a.m. or thereafter and April 16, 2002 at 9:30 a.m. or thereafter, in the Board of Supervisors Chambers, Administration Building, 2800 West Burrel, Visalia, California, to receive public comment regarding the Board's intention declared herein and to levy the assessment for Fiscal Year 2002/03 for Assessment District No. 02-748-TIPTON of the County of Tulare, State of California.

1 NOW, THEREFORE, BE IT RESOLVED as follows:
2

3 1. The Board of Supervisors hereby declares its intention to order the formation of an
4 assessment district known as Assessment District No. 02-748-TIPTON of the County of Tulare,
5 State of California, to collect and levy assessments pursuant to the Benefit Assessment Act of
6 1982, Section 54703 et seq. of the Government Code, for the purpose of providing for the
7 continuing cost of maintenance of the District and maintenance of the storm drainage system
8 improvements dedicated or to be dedicated by the Final Maps of Subdivision Tract No. 748 and
9 Subdivision Tract No. 736, which improvements are described as, and include but are not limited
10 to, storm drain pipes, drainage inlets and a ponding basin.
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12 2. Assessment District No. 02-748-TIPTON of the County of Tulare, State of California,
13 shall include all the areas of the Final Maps of Subdivision Tract No. 748 and Subdivision Tract
14 No. 736 excepting the ponding basin lot, and is generally located between Lipscomb Avenue and
15 Klindera Avenue and between Callison Road and Newman Road, in Tipton.
16

17 3. The assessment diagram labeled "Assessment Diagram, Assessment District No. 02-
18 748-TIPTON of the County of Tulare, State of California", filed with the Clerk of the Board is
19 hereby approved by this Board of Supervisors and provides the boundaries of Assessment District
20 No. 02-748-TIPTON and any zones therein.
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22 4. Upon tabulation of the ballots received from the record owner of the property to be
23 divided by Subdivision Tract No. 748 and the record owners within Subdivision Tract No. 736, the
24 Board of Supervisors finds that the number of "yes" votes exceed the number of "no" votes and
25 hereby orders, pursuant to Section 5400 et seq. of the Government Code, the formation of
26 Assessment District No. 02-748-TIPTON of the County of Tulare, State of California, and the levy
27 of the assessment set out in the "Assessment Diagram, Assessment District No. 02-748-TIPTON
28 of the County of Tulare, State of California" for the 2002/03 fiscal year.
29

30 5. The assessment to be levied during the 2002/03 fiscal year to pay for the continuing
31 cost of the maintenance of said improvements are those set out in the assessment diagram labeled
32 "Assessment Diagram, Assessment District No. 02-748-TIPTON of the County of Tulare, State of
33 California" filed by the Engineer with the Clerk of the Board hereby approved and confirmed
34 without changes to levy an assessment of \$44.06 per parcel.
35

36 6. The assessment to be levied for the 2002/03 fiscal year under Paragraph No. 5 above
37 shall be collected from the Owner/Subdivider of Tract No. 748 pursuant to an agreement in the
38 form attached hereto. The Chairman of the Board is hereby authorized to execute such agreement
39 on behalf of the County.
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41 7. The Clerk of the Board is hereby authorized and directed to certify copies of the
42 "Assessment Diagram, Assessment District No. 02-748-TIPTON of the County of Tulare, State of
43 California" with the County Recorder. The Clerk of the Board of Supervisors is also authorized
44 and directed to execute and record in the office of the County Recorder a Notice of Assessment
45 substantially in the form set out in Streets and Highways Code Section 3114(f).

1
2 THE FOREGOING RESOLUTION was adopted upon motion of Supervisor Conway ,
3 seconded by Supervisor Sanders , at a regular meeting of the Board of Supervisors held
4 on April 16, 2002, by the following vote:
5

6 AYES: Supervisor Sanders, Conway and Maples

7 NOES: None

8 ABSTAIN: None

9 ABSENT: Supervisor Worthley and Maze

10 ATTEST: JANET HOGAN

11 County Administrative Officer/Clerk
12 of the Board of Supervisors



18 By

19 
20 Deputy Clerk

21 RMA
22 CAO
23 CCounsel
24 Auditor

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