

**MEMORANDUM
DEPARTMENT OF FACILITY SERVICES
COUNTY OF PLACER**

To: **BOARD OF SUPERVISORS** Date: **NOVEMBER 25, 2008**

From: **JAMES DURFEE / WILL DICKINSON** *(initials)*

Subject: **RESOLUTION OF INTENTION TO HOLD A PUBLIC HEARING:
ANNEXATION OF DIANA GUNTHER PROPERTY TO COUNTY SEWER
MAINTENANCE DISTRICT 1**

ACTION REQUESTED/RECOMMENDATION: Adopt a Resolution of Intention setting the time and date to hold a Public Hearing to consider the annexation of property owned by Diana Gunther, APN 076-335-023, located on Virginia Drive, Auburn, into the boundaries of Placer County Sewer Maintenance District 1 (SMD 1).

BACKGROUND: Diana Gunther is requesting that the above referenced parcel, consisting of 1.12 acres located on Virginia Drive in Auburn, be annexed into SMD 1 for the purpose of providing sewer service. The General Plan provides for a minimum lot size of 2.3 acres. The owner has prepared a legal description and plot map of the parcel. These documents, along with a vicinity map, are attached as part of the Resolution of Intention.

A Public Hearing is required in order to annex the property into the sewer district. In accordance with Section 4896 and 4897 of the Health and Safety Code, your Board must adopt a Resolution of Intention establishing a time and date for a Public Hearing at least three weeks in advance of the Public Hearing. The attached Resolution satisfies that requirement.

ENVIRONMENTAL CLEARANCE: The Annexation of individual parcels is categorically exempt from environmental review pursuant to Section 15319(b) "Annexations of Existing Facilities and Lots for Exempt Facilities" of the California Environmental Quality Act Guidelines.

FISCAL IMPACT: Placer County Code Section 13.12.260 specifies that the owners of property annexed into a Sewer District or County Service Area must pay an annexation fee. The applicant will be charged the annexation fee in effect at the time they choose to make payment, based on rates contained in Section 13.12.350. The current annexation fee that applies to the subject property is \$5,500 (\$5,500 per lot times 1 lot).

JD/WD/HK/KMZ

ATTACHMENT: RESOLUTION
NOTICE OF PUBLIC HEARING
VICINITY MAP

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CC: COUNTY EXECUTIVE OFFICE

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Before the Board of Supervisors County of Placer, State of California

In the matter of: A RESOLUTION OF INTENTION
TO SET A TIME AND DATE FOR A PUBLIC HEARING
TO CONSIDER ANNEXING THE PROPERTY OF
DIANA GUNTHER, APN 076-335-023, INTO
COUNTY SEWER MAINTENANCE DISTRICT 1.

Resol. No: _____
Ord. No: _____
First Reading: _____

The following RESOLUTION was duly passed by the Board of Supervisors of the
County of Placer at a regular meeting held _____, by the following
vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest:
Clerk of said Board

BE IT RESOLVED, by the Board of Supervisors of the County of Placer, State of California,
as follows:

1. The Board of Supervisors intends to annex a certain parcel of land to County Sewer Maintenance District 1. Such land consists of the property belonging to Diana Gunther, and is generally located on Virginia Drive in Auburn, as specifically described in Exhibit "A" attached hereto and incorporated herein, and as shown and depicted in Exhibit "B" attached hereto and incorporated herein. Such lands contain approximately 1.12 acres.

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2. The Board of Supervisors shall hold a hearing (at least three weeks after the date of adoption of this Resolution), at the hour of _____, on Tuesday, _____ in the Board of Supervisors Chambers, County Administrative Center, 175 Fulweiler Avenue, Auburn, California to hear any objections there may be to such annexation.
3. Upon conclusion of such hearing, the Board of Supervisors may determine that such territory will be benefited by annexation to the Sewer District and may order the boundaries of the Sewer District altered to include such benefited territory upon payment of the applicable annexation fee. The applicant will be charged the annexation fee in effect at the time they choose to make payment, based on rates contained in Section 13.12.350. The current annexation fee that applies to the subject property as of the date of this Resolution is \$5,500 (\$5,500 per lot times 1 lot). This sum shall be deposited in the County Treasury to the credit of the Sewer District.
4. The Clerk of the Board of Supervisors shall cause notice of the time, place and purpose of the hearing to be given by:
 - a. Posting, in three conspicuous places within the territory proposed to be annexed and three conspicuous places within Sewer Maintenance District 1, notices headed "Notice of Public Hearing" in letters not less than one inch in height and including a diagram of the territory proposed to be annexed.
 - b. Publishing once in the Auburn Journal, the newspaper of general circulation that the Board deems most likely to give notice to hearing to the inhabitants, a notice showing the boundaries of the territory proposed to be annexed by means of a diagram.

Attachments: Exhibit A
Exhibit B

EXHIBIT A
Diana Gunther Sewer Annexation
Sewer Maintenance District No. 1
Annexation No. 137

All that certain real property situated in the County of Placer, State of California described as follows:

Portion of the West ½ of Section 16, T.13 N., R.8 E., M.D.B. & M. Also being Lot 134 of that Subdivision Map entitled "Christian Valley Park, Unit No. 9". Filed in Book H of Maps, at Page 38, of Official records of Placer County, State of California.

Beginning at the Northwest corner of Lot 134 as shown on last said map, Thence South 73°07'24" East, a distance of 217.34 feet, to a point in the west Right-a-Way line of Virginia Drive, the Northeast corner of lot 134;

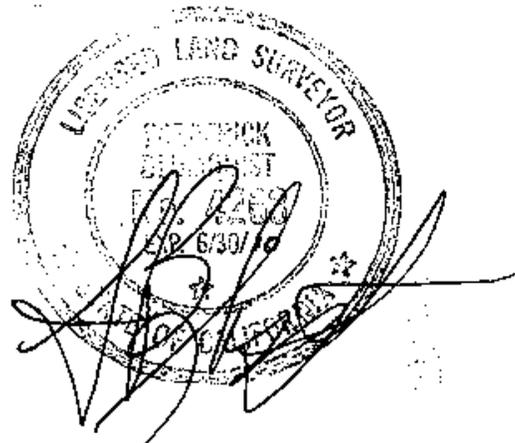
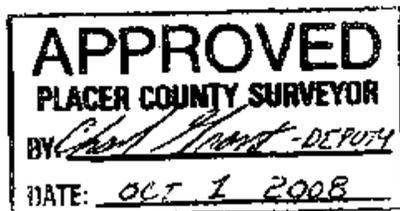
Thence along said Right-A-Way line, along a curve to the left having a chord bearing South 13°53'45" West, a distance of 66.83 feet, having a radius of 230.00 feet;

Thence continuing along said Right-a-Way line, South 05°32'30" West, a distance of 179.97 feet, to the Southeast corner of Lot 134.

Thence leaving the Easterly Right-a-Way line, North 84°27'30" West, a distance of 162.64 feet, to the Southwest corner of lot 134;

Thence North 02°29'25" West, a distance of 291.67 feet to the point of beginning.

Containing 1.12 acres



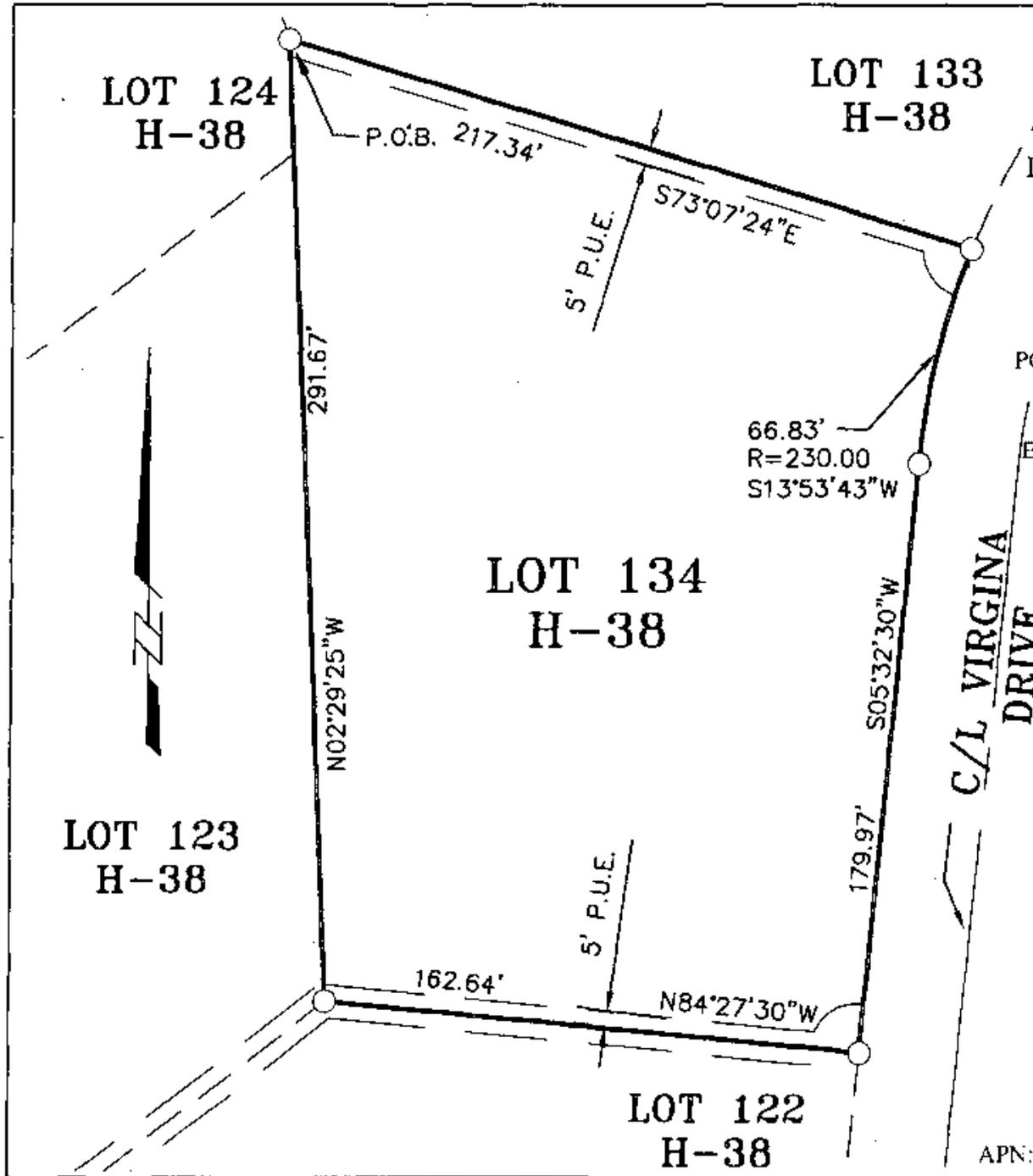


EXHIBIT "B"

DIANA GUNTHER SEWER ANNEXATION
SEWER MAINTENACE DISTRICT NO. 1
ANNEXATION NO. 137

PLAT MAP

PORTION OF THE WEST 1/2 OF SECTION 16, T.13N.,
R. 8 E., M.D.B.&M.

ALSO BEING LOT 134 OF SUBDIVIISON MAP
ENTITLED "CHRISTIAN VALLEY PARY, UNIT NO.
9", FILED IN BOOK "H" OF MAPS, AT PAGE 38.

PLACER COUNTY, CALIFORNIA
SEPTEMBER 2008

SCALE 1" = 50'

ASSOCIATED LAND CONSULTANTS

CIVIL ENGINEERING • LAND SURVEYING • PLANNING

607 H-F-Y STREET • FOLSOM, CA • 95630

(916)985-7242 • FAX (916)985-8432

APPROVED
PLACER COUNTY SURVEYOR
BY: *[Signature]* - DEPUTY
DATE: OCT 1 2008

APN: 076-335-23 6100 VIRGINA DRIVE, AUBURN CA

1691

EXHIBIT B

NOTICE OF PUBLIC HEARING

BY WHOM: PLACER COUNTY BOARD OF SUPERVISORS

WHERE: BOARD OF SUPERVISORS CHAMBERS
ADMINISTRATIVE CENTER
175 FULWEILER AVENUE
AUBURN, CALIFORNIA

WHEN: Tuesday,

PURPOSE: NOTICE IS GIVEN that the Placer County Board of Supervisors will hold a public hearing to consider annexing certain property to County Sewer Maintenance District 1. Such land consists of the property belonging to Diana Gunther, is generally located on Virginia Drive in Auburn and is approximately 1.12 acres.

Interested persons are invited to attend or submit their written comments prior to the hearing date.

Ann Holman
Clerk of the Board of Supervisors

SEWER MAINTENANCE DISTRICT 1 ANNEXATION

