

TUESDAY, DECEMBER 11, 1985

RESOLUTION ESTABLISHING ZONE B - MONTE VISTA VILLAGE
IN COUNTY SERVICE AREA NO. 26 - RANCHO SAN DIEGO

On motion of Supervisor Bailey, seconded by Supervisor Bilbray, the following resolution is adopted:

WHEREAS, on November 6, 1985, this Board adopted its resolution of intention to form Zone B - Monte Vista Village in County Service Area No. 26 - Rancho San Diego, pursuant to the provisions of the County Service Area Law, Chapter 2.2 (commencing with Section 25210.1) of Part 2, Division 2 of Title 3 of the Government Code to provide the type or types of extended County services herein described within the hereinafter described unincorporated territory, and ordered that a public hearing on the establishment of said proposed zone be held in the Chamber of this Board on December 1, 1985, at 10:00 a.m.; and

WHEREAS, notice of said hearing was given, as required by law, as shown by the affidavit or publication on file herein (Document No. 683352); and

WHEREAS, said hearing was held at said time and place; all interested persons or taxpayers were heard for and against the establishment of the proposed Zone B - Monte Vista Village the extent of the area and the furnishing of the proposed types of services; all written protests were considered; and evidence was received that the services proposed to be provided are extended County services; and

WHEREAS, in the judgment of this Board it is advisable to establish the zone; NOW, THEREFORE

IT IS RESOLVED, ORDERED AND DETERMINED as follows:

1. The services described in said resolution of intention, as herein-after set forth, are extended County services.
2. Written protests against the establishment of the zone or the furnishing of any of the specified types of extended services within the proposed zone were not received from 50% or more of the registered voters residing within the territory proposed to be included in the zone or from the owners of one-half or more of the value of the land and improvements in the territory to be included in the zone, as shown by the last equalized assessment roll, as described in Government Code Section 25210.17a.
3. All protests made orally or in writing against the establishment of the zone, the extent of the area or the furnishing of specified types of extended services are denied.
4. The types of extended County service to be performed within the boundaries of said zone pursuant to said Chapter 2.2 of the Government Code is landscape improvement and maintenance.

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5. The Board certifies, in accordance with Section 15064 of the State Guidelines for Implementation of the California Environmental Quality Act of 1970 (Div. 6, Title 14, Cal. Admin. Code, commencing at § 15000), that it has reviewed and considered the information contained in the Environmental Impact Report (TM 4032) prepared by the County of San Diego.

6. The proceedings for the formation of said proposed zone are valid and in conformity with the requirements of the aforementioned County Service Area Law.

7. The following described territory is declared established without an election as a zone and shall be designated Zone B - Monte Vista Village:

ALL THOSE PORTIONS OF TRACTS "E" AND "F" OF RANCHO JAMACHA, ACCORDING TO PARTITION MAP THEREOF MADE IN ACTION TITLED "WILLIAM H. KEIGHLER, ET AL, VS. MARY H. EDDY, ET AL" UNDER SUPREME COURT CASE NO. 13, ON FILE IN THE OFFICE OF THE COUNTY CLERK OF SAN DIEGO COUNTY, A COPY OF THE DECREE RENDERED UNDER SAID CASE NO. 13, BEING RECORDED APRIL 21, 1881, IN BOOK 38, PAGE 305 OF DEEDS, RECORDS OF SAN DIEGO COUNTY, TOGETHER WITH A PORTION OF COUNTY OF SAN DIEGO TRACT 4032-1, ACCORDING TO MAP THEREOF NO. 11231 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY MAY 15, 1985, TOGETHER WITH COUNTY OF SAN DIEGO TRACT 4032-2, ACCORDING TO MAP THEREOF NO. 11260 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 19, 1985, TOGETHER WITH A PORTION OF LOT 717 OF COUNTY OF SAN DIEGO TRACT 4032-4, ACCORDING TO MAP THEREOF NO. 11285 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO JULY 11, 1985, ALL BEING IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 24, TOWNSHIP 16 SOUTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY THEREOF; THENCE SOUTH $89^{\circ}25'21''$ EAST ALONG THE

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NORTHERLY BOUNDARY OF SAID MAP NO. 11231, 924.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID NORTHERLY BOUNDARY OF MAP NO. 11231 SOUTH $7^{\circ}01'00''$ EAST 139.50 FEET; THENCE SOUTH $82^{\circ}59'00''$ WEST 235.78 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY; THENCE WESTERLY AND NORTHWESTERLY 14.89 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE $42^{\circ}40'05''$ TO THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 48.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH $35^{\circ}39'05''$ EAST; THENCE WESTERLY AND SOUTHWESTERLY 161.82 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE $193^{\circ}09'32''$; THENCE LEAVING SAID CURVE SOUTH $22^{\circ}29'33''$ WEST 22.00 FEET; THENCE SOUTH $21^{\circ}07'26''$ EAST 371.73 FEET; THENCE SOUTH $67^{\circ}15'22''$ EAST 135.96 FEET; THENCE SOUTH $77^{\circ}01'49''$ EAST 129.82 FEET; THENCE SOUTH $24^{\circ}28'46''$ EAST 51.23 FEET; THENCE SOUTH $23^{\circ}55'34''$ EAST 320.54 FEET; THENCE SOUTH $10^{\circ}18'17''$ EAST 461.90 FEET; THENCE SOUTH $79^{\circ}41'43''$ WEST 58.00 FEET; THENCE SOUTH $13^{\circ}53'14''$ WEST 37.68 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 48.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH $13^{\circ}53'14''$ EAST; THENCE WESTERLY 40.00 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $47^{\circ}44'48''$; THENCE LEAVING SAID CURVE NORTH $78^{\circ}20'32''$ WEST 175.60 FEET; THENCE SOUTH $52^{\circ}07'30''$ EAST 82.00 FEET; THENCE SOUTH $8^{\circ}01'02''$ WEST 71.70 FEET; THENCE SOUTH $25^{\circ}33'04''$ EAST 252.72 FEET; THENCE SOUTH $22^{\circ}04'35''$ EAST 193.68 FEET; THENCE SOUTH $19^{\circ}36'18''$ EAST 301.52 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1931.00 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH $36^{\circ}54'47''$ EAST; THENCE SOUTHERLY 113.71 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $3^{\circ}20'41''$; THENCE SOUTH

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56°25'54" WEST 526.02 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 507.09 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 28°32'29" EAST; THENCE SOUTHEASTERLY 111.61 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°36'37"; THENCE SOUTH 48°50'54" EAST 599.82 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF THAT CERTAIN EASEMENT GRANTED TO THE COUNTY OF SAN DIEGO FOR ROAD PURPOSES (FURY LANE) RECORDED JANUARY 26, 1981 AS FILE/PAGE NO. 81-024522 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY; THENCE CONTINUING SOUTH 48°50'54" EAST ALONG SAID SOUTHWESTERLY LINE 810.46 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 4000.00 FEET; THENCE SOUTHEASTERLY 1629.85 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°20'45"; THENCE SOUTH 25°30'09" EAST 337.25 FEET TO A POINT ON THE BOUNDARY OF SAID MAP NO. 11285, SAID POINT BEING THE MOST NORTHERLY CORNER OF LOT 717 OF SAID MAP NO. 11285, SAID POINT BEING ON THE ARC OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 10430 FEET; THENCE ALONG SAID BOUNDARY, SOUTHWESTERLY 19.97 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 0°06'35"; THENCE LEAVING SAID BOUNDARY SOUTH 25°30'09" EAST 297.00 FEET; THENCE SOUTH 34°29'51" WEST 60.00 FEET; THENCE SOUTH 20°12'53" WEST 67.75 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 10057.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 26°14'31" WEST; THENCE SOUTHWESTERLY 135.01 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 0°46'09"; THENCE LEAVING SAID CURVE SOUTH 27°00'40" EAST 20.00 FEET TO A POINT ON THE ARC OF A CURVE

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CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 10037.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH $27^{\circ}00'40''$ WEST; THENCE NORTHEASTERLY 234.98 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $1^{\circ}20'29''$; THENCE NORTH $64^{\circ}49'36''$ EAST 153.64 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 20.00 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH $24^{\circ}43'49''$ EAST; THENCE WESTERLY AND NORTHWESTERLY 20.93 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE $59^{\circ}57'02''$ TO A POINT ON THE ARC OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 10047.00 FEET A RADIAL LINE TO SAID POINT BEARS NORTH $24^{\circ}49'44''$ WEST; THENCE NORTHEASTERLY 75.01 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $0^{\circ}25'40''$; THENCE LEAVING SAID CURVE NORTH $24^{\circ}24'04''$ WEST 24.00 FEET; THENCE NORTH $70^{\circ}38'16''$ WEST 47.76 FEET; THENCE SOUTH $64^{\circ}29'51''$ WEST 44.19 FEET MORE OR LESS TO A POINT ON THE NORTHEASTERLY LINE OF THAT CERTAIN EASEMENT GRANTED TO THE COUNTY OF SAN DIEGO FOR ROAD PURPOSES (FURY LANE) RECORDED JANUARY 26, 1981 AS FILE/PAGE NO. 81-024522 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY; THENCE ALONG SAID NORTHEASTERLY LINE, NORTH $25^{\circ}30'09''$ WEST 664.93 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 4114.00 FEET; THENCE NORTHWESTERLY 885.93 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $12^{\circ}20'18''$ TO A POINT IN THE BOUNDARY OF SAID MAP NO. 11260, SAID POINT BEING A POINT OF TANGENCY WITH A REVERSE CURVE CONCAVE EASTERLY HAVING A RADIUS OF 20.00 FEET; THENCE ALONG SAID BOUNDARY NORtherly 20.65 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $91^{\circ}50'27''$; THENCE NORTH $54^{\circ}00'00''$ EAST 1000.76 FEET TO THE BEGINNING OF A TANGENT

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CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 956.00 FEET; THENCE NORTHEASTERLY 39.54 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $2^{\circ}22'12''$; THENCE NORTH $33^{\circ}37'48''$ WEST 88.00 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 20.00 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH $33^{\circ}37'48''$ EAST; THENCE WESTERLY AND NORTHWESTERLY 33.13 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE $94^{\circ}55'25''$ TO A POINT ON THE ARC OF A COMPOUND CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 270.00 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH $61^{\circ}17'37''$ WEST; THENCE NORtherly 59.83 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $12^{\circ}41'43''$; THENCE NORTH $16^{\circ}00'40''$ WEST 847.81 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 970.00 FEET; THENCE NORtherly 934.05 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $55^{\circ}10'20''$; THENCE NORTH $39^{\circ}09'40''$ EAST 409.82 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 20.00 FEET; THENCE NORtherly AND NORtheASTERLY 30.08 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $86^{\circ}10'39''$ TO A POINT OF TANGENCY WITH A REVERSE CURVE CONCAVE NORtheASTERLY HAVING A RADIUS OF 730.00 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH $50^{\circ}50'20''$ EAST; THENCE SOUTHEASTERLY 138.86 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $10^{\circ}53'55''$; THENCE NORTH $24^{\circ}26'24''$ EAST 108.84 FEET; THENCE NORTH $34^{\circ}11'25''$ EAST 222.44 FEET; THENCE NORTH $3^{\circ}42'55''$ EAST 77.16 FEET; THENCE NORTH $46^{\circ}01'01''$ WEST 119.52 FEET; THENCE NORTH $27^{\circ}41'59''$ WEST 241.37 FEET; THENCE NORTH $11^{\circ}17'07''$ EAST 144.08 FEET; THENCE NORTH $12^{\circ}11'29''$ WEST 165.74 FEET; THENCE NORTH $70^{\circ}50'40''$ WEST 100.57 FEET; THENCE SOUTH

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83°05'20" WEST 166.21 FEET; THENCE NORTH 11°25'18" WEST 108.34 FEET; THENCE NORTH 54°42'54" EAST 174.51 FEET; THENCE NORTH 1°34'22" WEST 229.70 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SECTION 24; THENCE ALONG SAID SOUTHERLY LINE NORTH 89°25'16" WEST 835.75 FEET; THENCE NORTH 89°25'21" WEST 1712.34 FEET TO THE TRUE POINT OF BEGINNING.

The Clerk of this Board shall file with the Assessor of the County of San Diego and with the State Board of Equalization a certified copy of this resolution and order together with a legal description of the boundaries and a map or plat indicating the boundaries of the territory to be established by this order, as provided in Chapter 8 (commencing with Section 54900) of Part 1, Division 2, Title 5 of the Government Code.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Diego, State of California, this 11th day of December, 1985, by the following vote:

AYES: Supervisors Bilbray, Bailey, and Williams
NOES: Supervisors None
ABSENT: Supervisors Golding and Eckert

STATE OF CALIFORNIA} ss.
County of San Diego}

I, KATHRYN A. NELSON, Clerk of the Board of Supervisors of the County of San Diego, State of California, hereby certify that I have compared the foregoing copy with the original resolution passed and adopted by said Board, at a regular meeting thereof, at the time and by the vote therein stated, which original resolution is now on file in my office; that the same contains a full, true and correct transcript therefrom and of the whole thereof.

Witness my hand and the seal of said Board of Supervisors, this 11th day of December, 1985 (10).

KATHRYN A. NELSON
Clerk of the Board of Supervisors
(SEAL)

By Maria A. Tiscareno
Deputy

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APPROVED TO FORM AND LEGALITY
COUNTY COUNSEL

BY William J. Frith
DEPUTY 10-24-85

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ORDINANCE NO. 7147 (NEW SERIES)

AN ORDINANCE PROVIDING A PROCEDURE
FOR FIXING AND COLLECTING CHARGES
ON THE TAX ROLL
FOR MISCELLANEOUS EXTENDED SERVICES
PROVIDED BY COUNTY SERVICE AREA NO. 26
MONTE VISTA VILLAGE, ZONE B

The Board of Supervisors of the County of San Diego, acting on behalf of County Service Area No. 26 - Monte Vista Village, Zone B ordains as follows:

Section 1. Purpose. County Service Area No. 26 - Monte Vista Village, Zone B is authorized to provide the miscellaneous extended services of landscape improvement and maintenance. Government Code Section 25210.77a authorizes this Board to fix and collect charges for miscellaneous extended services provided by a county service area to pay, in whole or in part, for the cost thereof. Section 25210.77a further authorizes this Board to collect such charges on the tax roll by adopting an ordinance providing a procedure therefor. This ordinance shall provide that procedure for County Service Area No. 26 - Monte Vista Village, Zone B.

Section 2. Fixing of Charges. For the miscellaneous extended services relating to landscape improvement and maintenance, there is hereby fixed and annual charge of \$200.00 for each "unit" determined under Section 3 of this ordinance. Any charges established by this ordinance may be modified or amended by resolution of the Board of Supervisors. Such charges shall be reviewed by staff annually and shall be fixed by substantially the following procedure:

(a) A budget shall be proposed for the fiscal year specifying the amounts required to provide the required level of those miscellaneous extended services proposed to be funded by charges in lieu of, or supplemental to, revenue obtained by the levy of taxes.

(b) The fund balance, revenues to be obtained by the levy of taxes and other revenues available to support the budget shall be deducted from the amount of the proposed budget.

(c) The balance remaining shall be divided by the total number of units, as calculated under Section 3 of this ordinance. The amount obtained from that calculation shall be the charge fixed for each unit.

(d) The charge per unit shall be fixed by resolution adopted by the Board of Supervisors.

Section 3. Number of Units Determined. Units shall be assigned to each parcel in proportion to the estimated benefit received by that parcel and shall be calculated as follows:

- (a) Parcels not benefiting from the service shall not be assigned units of benefit.
- (b) Each parcel of land shall be assigned one unit of benefit.

Section 4. Preparation of Report, Hearing and Transmission to Auditor.

(a) Once a year the Board of Supervisors shall cause to be prepared a written report which shall contain a description of each parcel of real property receiving the particular extended service and the amount of the charge for each parcel for such year computed in conformity with the procedure set forth in this ordinance authorizing collection of such charges on the tax roll. Such report shall be filed with the Clerk of the Board of Supervisors.

(b) Upon the filing of such report, the Clerk shall fix a time, date, and place for hearing thereon and for filing objections or protests thereto. The Clerk shall publish notice of such hearing as provided in Government Code Section 6066, prior to the date set for hearing, in a newspaper of general circulation printed and published in the County.

(c) At the time, date and place stated in the notice, the Board of Supervisors shall hear and consider all objections or protests, if any, to the report and may continue the hearing from time to time. Upon conclusion of the hearing, the Board of Supervisors may adopt, review, change, reduce or modify any charge and shall make its determination upon each charge as described in the report and thereafter, by resolution, shall confirm the report. The report shall be transmitted to the Auditor not later than August 10 of the fiscal year in which the charges shall apply.

(d) The charges set forth in the report, as confirmed, shall appear as a separate item on the tax bill. The charge may be collected at the same time and in the same manner as ordinary County ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for such taxes. All laws applicable to the levy, collection and enforcement of County ad valorem property taxes shall be applicable to such charge, except that if the real property to which such charge relates has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date on which the first installment of such taxes would become delinquent, then the charge confirmed pursuant to this section shall not result in a lien against such real property but instead shall be transferred to the unsecured roll for collection.

Section 5. Effective Date. This ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the Daily Californian, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED this 10th day of June, 1986.

PAUL ECKERT

Chairman of the Board of Supervisors of the County of San Diego, State of California

The above ordinance was adopted by the following vote:

Supervisor Brian P. Bilbray	voting "Aye"
Supervisor George F. Bailey	voting "Aye"
Supervisor Susan Golding is absent and not voting	
Supervisor Leon L. Williams	voting "Aye"
Supervisor Paul Eckert	voting "Aye"

ATTEST my hand and the seal of the Board of Supervisors this 10th day June, 1986 (43)

(SEAL)

KATHRYN A. NELSON
Clerk of the Board of Supervisors

By Maria A. Tiscareno
Deputy

PW/SPEC/DIST
ORD/26

5-14-86
APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

BY William O. Shultz