

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MERCED,
DETACHING AREA DESIGNATED AS ANNEXATION NO. 17 OF THE
CITY OF MERCED COMMUNITY FACILITIES DISTRICT NO. 2003-2
(SERVICES) FROM THE MANSIONETTE MAINTENANCE DISTRICT**

WHEREAS, the City Council (the "Council") of the City of Merced (the "City"), has received a written petition (the "Petition") signed by the owner (the "Developer") of certain real property within the City (the "Property"), requesting that the City of Merced Community Facilities District No. 2003-2 (Services) (the "District") institute proceedings for the annexation of the Property into the District and the City institute proceedings for the detachment of the Property from the Mansionette Maintenance District (the "Maintenance District") effective upon annexation of the Property to the District; and

WHEREAS, the Council previously adopted Resolution No. 94-13 ordering the formation of the Maintenance District pursuant to Ordinance No. 1370 of the City and Chapter 13 of Division XIII of Title 13 of the City of Merced Municipal Code (the "Municipal Code") for the purpose of paying for the costs and expenses of maintain storm drainage systems, landscaping, street trees, irrigation, installed or to be installed, park and open space maintenance; and

WHEREAS, in order to avoid duplication of one or more service charges, the Council adopted a resolution of intention to detach the Property from the Maintenance District contingent upon the annexation of the Property into the District; and

WHEREAS, no benefit assessments had yet been levied on the Property or services provided; and

WHEREAS, notice of said intention to detach was given in the time, form and manner provided by law; and

WHEREAS, at said hearing all persons desiring to be heard on all matters pertaining to the detachment of the Property from the Maintenance District were heard and a full and fair hearing was held, and following the conclusion of the hearing a majority protest did not exist; and

WHEREAS, pursuant to the terms and provisions of Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the Government Code of the State of California, as now and hereafter amended (the "Act"), the Council adopted Resolution No. _____ annexing the Property into the District for the purpose of financing certain public services and maintenance, including but not limited to public safety services, landscape maintenance, park and parkway maintenance, street lighting maintenance and flood control services, and other services authorized pursuant to the Act and the City's Municipal Code, which are necessary to meet increased demands placed on the City as a result of the development of the Property; and

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF MERCED, COUNTY OF MERCED, STATE OF CALIFORNIA, AS FOLLOWS:

Section 1. No Majority Protest and Annexation No. 17. The Council finds and declares that the Property has been annexed into the District and a majority protest does not exist as to the detachment of the Property from the Maintenance District.

Section 2. Detachment. The Council declares that the Property is hereby detached from the Maintenance District and no longer subject to the benefit assessments levied within the Maintenance District. The Council orders the boundary map or diagram of the Maintenance District to be amended to exclude the Property.

Section 3. Amended Map. The amended boundary map as shown on Exhibit A (the "Amended Map") is hereby approved, and pursuant to Section 3113 of the Streets and Highways Code of the State of California, the City Clerk shall, after conforming with the other requirements of Section 3113 of said Code, file the Amended Map with the County Recorder of the County of Merced not later than 15 days after adoption of this resolution.

PASSED, APPROVED AND ADOPTED this ___ day of June, 2021.


CITY OF MERCED

Mayor

ATTEST:

City Clerk of the City of Merced

APPROVED AS TO FORM:



City Attorney of the City of Merced

STATE OF CALIFORNIA)
COUNTY OF MERCED) ss.
CITY OF MERCED)

I, _____, City Clerk of the City of Merced, do hereby certify that the foregoing Resolution was duly adopted by the City Council of said City at a _____ meeting thereof held on the _____ day of June, 2021, and that it was so adopted by the following vote:

AYES:

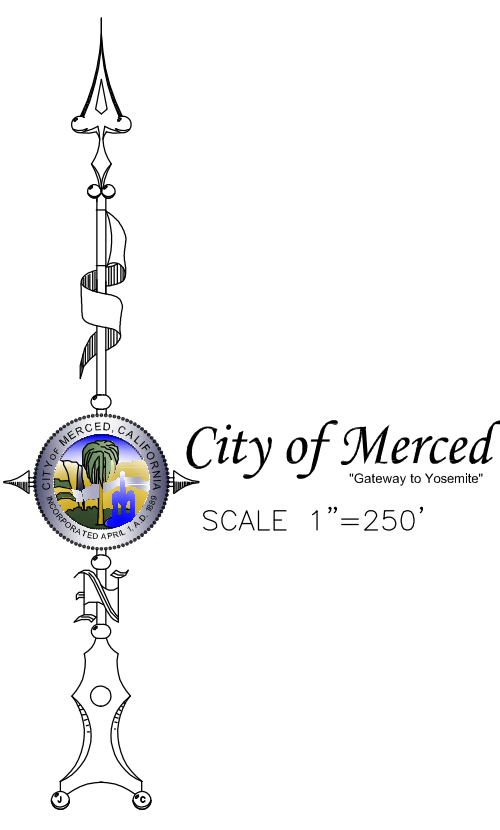
NOES:

ABSENT:

ABSTAIN:

By: _____
City Clerk of the City of Merced

EXHIBIT A
AMENDED BOUNDARY MAP



CITY CLERK STATEMENT

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MERCED THIS _____ DAY OF _____, 2021.

STEPHANIE R. DIETZ
CITY CLERK CITY OF
MERCED

I HEREBY CERTIFY THAT THE WITHIN MAPS SHOWING PROPOSED BOUNDARIES OF CITY OF MERCED COMMUNITY FACILITIES DISTRICT 10, IN THE CITY OF MERCED AND THE COUNTY OF MERCED, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MERCED AT A REGULAR MEETING THEREOF, HELD ON THE DAY OF _____, 2021, BY IT'S RESOLUTION NO. _____.

STEPHANIE R. DIETZ
CITY CLERK
CITY OF MERCED

CITY ENGINEER

MICHAEL R. BELTRAN II, R.C.E 83916
CITY ENGINEER
CITY OF MERCED

CITY SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE LAND SURVEYOR'S ACT ON _____, 2021.

JOE M. CARDOSO, P.L.S. #8851

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, _____, AT THE HOUR OF _____ O'CLOCK _____ M., IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICT AT PAGES _____ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF MERCED, STATE OF CALIFORNIA.

MATT H. MAY
MERCED COUNTY RECORDER

DOCUMENT No. _____
FEE: _____

BY: _____
MERCED COUNTY DEPUTY RECORDER

AMENDED MANSIONETTE MAINTENANCE DISTRICT
BEING A PORTION OF SECTION 8, T. 7 S., R. 14 E., M.D.B. & M.
CITY OF MERCED, COUNTY OF MERCED STATE OF CALIFORNIA
JUNE 2021 SCALE 1"=250'

SHEET 1 OF 1

BOOK _____ PAGE _____

REFERENCES

1. CITY OF MERCED CITY COUNCIL RESOLUTION NO. 94-6 ON FILE WITH THE CITY OF MERCED CLERK'S OFFICE.

LEGEND

- M.A.C.F.D MAP OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICT.
- C.F.D COMMUNITY FACILITIES DISTRICT.
- M.C.R. MERCED COUNTY RECORDS.