

ENGINEER'S REPORT
FOR
PERMANENT ROAD DIVISION NO. 0602 BYWOOD DRIVE
TEHAMA COUNTY, CALIFORNIA

<u>Section</u>	<u>Page</u>
I. INTRODUCTION AND PURPOSE OF THE ASSESSMENT.....	2
II. LEGAL REQUIREMENTS.....	3
ENGINEER'S STATEMENT	
III. BOUNDARY OF THE BYWOOD DRIVE P.R.D.	
LEGAL DESCRIPTION.....	4
ASSESSMENT DIAGRAM.....	4
IV. BASIS OF ANNUAL ASSESSMENT	
STREET MAINTENANCE.....	4
STORM DRAIN MAINTENANCE.....	4
ADMINISTRATION.....	4
LIMITATIONS.....	4
V. CALCULATION OF SPECIAL BENEFIT.....	5
VI. ASSESSMENT RATE AND METHOD OF ASSESSMENT.....	5
ASSESSMENT RATE.....	5
METHOD OF ASSESSMENT.....	5
VII. SUBDIVISION OF PARCELS WITHIN PRD NO. 0602.....	5
VIII. ASSESSMENT ROLL.....	7
IX. PRD BUDGET WORKSHEET.....	9

EXHIBIT "C"

I. INTRODUCTION AND PURPOSE OF THE ASSESSMENT

Permanent Road Division No. 0602 (Bywood Drive) is located south of Bowman Road, approximately 5.5 miles west of Interstate 5. Bywood Drive is presently County maintained from the intersection of Bowman Road southerly approximately 1,400 feet, which is the north boundary of the Permanent Road Division. The zoning designation for the area is R-1-B:86 (single family residential), and the General Plan designation is SR (suburban residential).

Development of two subdivisions comprised of 20 lots total and two parcel maps each with 4 lots, require that Bywood Drive be up-graded to county road standards. Further, Bella Oaks estates, Tract Map 04-1002, was recorded on the 11th of April, 2006; a requirement of the final map was that the subdivision participate in the establishment of a Permanent Road Division for Bywood Drive. Tract Map 04-1006, Parcel Map 04-44, and 06-14 are approved tentative maps; a condition of approval for each map is the establishment of a Permanent Road Division for Bywood Drive prior to recordation of the final map. Future land divisions are anticipated in the area that will encourage the further extension of Bywood Drive to the south. Bywood Drive has been classified by the County as an collector roadway and has the potential of serving a greater number of parcels in the area in the future as the area develops further. However, the portion of Bywood Drive described herein presently does not serve any parcels located outside of Permanent Road Division No. 0602 (Bywood Drive).

The petitioners have requested, and the County has agreed to consider the formation and activation of a Permanent Road Division (PRD), with the official designation of; "Tehama County Permanent Road Division No. 0602 (Bywood Drive)", hereinafter referred to as PRD No. 0602, to levy a charge to each residential lot and provide the services listed below.

Services to be provided in this PRD No. 0602 are as follows:

A. Street surface maintenance of 0.52 miles of streets comprising 81,900 square feet of asphalt concrete paved surface:

- 1) Slurry sealing the existing paved surface of the streets after a 7 year period. This also includes a patch work and dig outs prior to slurry seal.
- 2) Resurfacing the paved surface of the streets after a 20 year period with a Type B asphalt concrete one tenth (0.10') overlay. This includes grinding at the gutter lip and re-striping as necessary.

B. Storm Drain Maintenance of approximately 260 lineal feet of Storm Drainage Pipe and associated facilities within the street right of way. Storm drainage maintenance is hereby described as periodic replacement and repair, as warranted, of an estimated 50 year life cycle.

These services represent a special benefit to the properties within PRD No. 0602, in that these properties comprise all of the properties served by the portion of Bywood Drive to be

EXHIBIT "C"

maintained, and therefore, the services to be funded by the assessments will only benefit said properties.

Due to the unpredictability of future fluctuations in the cost of maintenance, the actual scope of maintenance may vary from the aforementioned "Services to be Provided." In the event that the described maintenance is not sufficiently funded by the assessment described herein, the scope of maintenance will be tailored to the assessment funds available at the time that the maintenance is to be performed. In that event, to provide the maintenance as originally proposed, the property owners would need to participate in a mailed ballot proceeding and approve an increase in assessments that will cover the increased costs.

II. LEGAL REQUIREMENTS

In November 1996 the voters of the State of California passed Proposition 218, which made significant changes in Assessment Law. Among those changes was a requirement that a detailed Engineers Report be prepared and signed by a Registered Professional Engineer in the State of California. This report was prepared in response to that requirement.

Another requirement of the new law is that the report must establish a substantive "special benefit" to property for the valid levy of an assessment. In the case of this assessment, the "special benefit" to property being assessed is the availability of paved street resurfacing, and storm drain replacement and repair to all assessed lots. All residential parcels within PRD No. 0602 are to be assessed an equal amount of the total assessment. Pursuant to Government Code section 53750, subdivision (h)(3), the actual amount paid by any parcel shown on the Assessment Roll, hereto attached as Section VIII, may be higher in future fiscal years due to increased intensity of use of those parcels (e.g., if the parcels are subdivided so that additional residential dwelling units may be constructed on those parcels) as set forth in Section VII. Such higher payment shall not be deemed to increase the assessment provided for herein.

ENGINEER'S STATEMENT

I do hereby state that the amount found in the "Budget Worksheet" attached hereto and made a part hereof is an accurate assessment to be apportioned upon the assessable lots within PRD No. 0602 in accordance with the special benefits to be received by such lots and more particularly set forth in the Assessment Roll, hereto attached as Section VIII and made a part hereof.

Each assessed lot is described in Section VII by reference to its assessment number as shown on the Assessment Diagram. A more particular description of the PRD boundary is included as Exhibit "A".

An Assessment Diagram is attached as Exhibit "B" showing the boundaries of PRD No. 0602.

Dated 12-20-2000

By: [Signature]
Engineer
R.C.E. 35182 Expire 2007

EXHIBIT "C"

III. BOUNDARY OF THE PERMANENT ROAD DIVISION NO. 0602 (BYWOOD DRIVE)

- 1) See EXHIBIT "A" being a description of the exterior boundary of PRD No. 0602
- 2) See EXHIBIT "B" being an Assessment Diagram depicting the assessment lot lines within the boundary of PRD No. 0602

IV. BASIS OF ANNUAL ASSESSMENT

The annual assessments for each maintenance program as defined in this report are based upon current construction industry maintenance costs defined in the following maintenance schedule:

STREET MAINTENANCE

The street pavement resurfacing program is based upon cost to reseal the pavement with a slurry seal after a seven (7) year period from the initial pavement placement; resurfacing the A.C. pavement with a 0.10' (one tenth foot) layer of type B asphalt concrete after a twenty (20) year period. (The street maintenance schedule will conform to a repeating pattern as follows: slurry seal after 7 years, slurry seal after 14 years, A.C. overlay after 20 years, and repeat). The annualized cost for these pavement surface treatments were obtained from bid prices. A slurry seal cost of \$0.18 per square foot and an asphalt concrete overlay cost of \$1.30 per square foot was used. This equates to \$132.66 per parcel per year.

STORM DRAIN MAINTENANCE

The storm drain pipes and associated facilities are generally assumed to have a fifty (50) year service life. The actual annual maintenance of the pipes and facilities themselves are usually very minimal. A budgetary cost of the long term drain pipe maintenance and replacement as determined is figured to be approximately \$110.00 per linear feet of pipe per year. This equates to \$10.21 per parcel per year.

ADMINISTRATION

The annualized cost expenditures for collections, administration, management and contingencies are included in the actual assessments for each assessable lot. The actual cost breakdown worksheet and cost spread are included in the appendix of this report. The assessments as calculated are necessary to ensure the funds are available when needed. The administration costs are determined to be \$35.72 per parcel per year.

LIMITATIONS

Due to the unpredictability of future fluctuations in the costs of maintenance, the actual scope of maintenance may vary from the aforementioned "Services to be Provided." In the event that the described maintenance is not sufficiently funded by the assessment described herein, the scope of maintenance will be tailored to the assessment funds available at the time that the maintenance is to be performed. In that event, to provide the maintenance as originally proposed, the property owners would need to participate in a mailed ballot proceeding and approve an increase in assessments that will cover the increased costs

EXHIBIT "C"

V. CALCULATION OF SPECIAL BENEFIT

Pursuant to Section 4 of Article XIII D of the California Constitution, the lots of the subdivision receiving a special benefit must be identified and the proportionate special benefit must be determined in relationship to the total maintenance expenses estimated to be necessary to maintain the street surface and draining pipes improvements. It is my opinion that the benefits received by the properties within PRD No. 0602 as a result of the services described herein are wholly special benefits, because these properties comprise all of the properties served by the portion of Bywood Drive to be maintained hereunder, and that each of the parcels within PRD No. 0602 receive an equal proportion of these special benefits. Because it cannot be said that any one lot is benefiting greater than any other lot in the use of the streets and underground storm drain, the amount of assessment which is to be imposed on each lot is equal and does not exceed that reasonable cost of the proportional special benefit conferred on that lot.

Accordingly, I find that each lot in PRD No. 0602 receives a special benefit from the proposed maintenance programs. I find that each lot will receive the annual special benefit as shown on the "Budget Worksheet" attached hereto and made a part hereof.

VI. ASSESSMENT RATE AND METHOD OF ASSESSMENT

ASSESSMENT RATE

The rate of assessment for each lot is calculated and is as follows:

56 Lots

The assessment rate for 2007/2008 tax year is based upon the "Budget Worksheet" attached hereto and made a part hereof and is proposed to be as follows:

Total Assessment	\$10,001.25
Number of lots	56
Annual Cost per Lot	\$178.59 (Including First Year)

METHOD OF ASSESSMENT

The amount of assessment specified for this year may be adjusted annually for inflation for the ensuing fiscal year, beginning in the fiscal year commencing July 1, 2012, based upon the percentage change in the cost index found in the Engineering News-Record 20-City Construction Cost Index during the preceding year. The Board of Supervisors shall be responsible for making the necessary computation each year prior to May 1st and advising the Tehama County Auditor/Controller what the amount of charge for drainage and road maintenance services is to be for the next year as a result of the forgoing computations.

EXHIBIT "C"

VII. SUBDIVISION OF PARCELS WITHIN PRD NO. 0602

Each of the assessed parcels within PRD No. 0602 (as set forth on the Assessment Roll included herein) contains or is eligible to contain one residential dwelling unit under the current general plan designation and zoning (not including second units under Tehama County Code section 17.08.050). The apportionment of special benefits among the parcels within PRD No. 0602, i.e., equally among all lots, is based upon my opinion that each residential dwelling unit receives an equal benefit from the road and storm drain maintenance services described herein. Some of the parcels within PRD No. 0602 may be eligible for further subdivision, thus increasing the intensity of the use of those parcels by increasing the number of residential dwelling units that those parcels are eligible to contain. In the event that, subsequent to the formation of PRD No. 0602, any parcel identified on the assessment roll for PRD No. 0602 is subdivided (by parcel map or subdivision map), the Assessment Roll for PRD No. 0602 for all subsequent fiscal years shall separately show each parcel resulting from the subdivision. Because each new parcel resulting from the subdivision will, under the current general plan designation and zoning, be eligible to contain one residential dwelling unit, each such parcel shall receive a special benefit equal to that of all of the other parcels within PRD No. 0602. Therefore, the assessment for each subsequent fiscal year shall be re-apportioned as follows:

The total amount of the assessment, as set forth in the attached budget worksheet and as adjusted for inflation as set forth herein, shall be divided by the total number of parcels shown on the Assessment Roll for PRD No. 0602 for that year, so that each parcel containing or eligible to contain one residential dwelling unit is responsible for an equal proportion of the assessment. (E.g., if one of the 56 parcels on the initial Assessment Roll is subdivided into two, the next year's Assessment Roll will show 57 parcels, and the total assessment, as adjusted for inflation, will be divided by 57 in that and all subsequent years (unless and until there is another subdivision), and apportioned accordingly to each of the 57 parcels shown on the Roll.)

Pursuant to Government Code sections 53750, subdivision (h)(3), 53753.5, subdivision (a), and 53739, subdivision (a), the assessments re-apportioned as set forth above shall be deemed to be within the methodology, assessment formula, and range of assessments set forth within this Engineer's Report and adopted by the County, and shall not be deemed to be "increased." No further notice, protest, or hearing shall be required for such re-apportionment, except as may be provided for under Government Code section 25210.77a.

EXHIBIT "C"

VIII. ASSESSMENT ROLL

The proposed assessment roll for the Bywood Drive PRD No. 0602 is as follows:

ASSEMENT NO.	A.P. NO.	PROPERTY OWNERS
0602-001	006-130-02	Cutforth Richard B and Letitia D
0602-002	006-130-05	Cutforth Richard B and Letitia D
0602-003	006-130-08	Rasmussen Maureen A.
0602-004	006-130-14	Bywood Development, Inc.
0602-005	006-130-14	Bywood Development, Inc.
0602-006	006-130-14	Bywood Development, Inc.
0602-007	006-130-14	Bywood Development, Inc.
0602-008	006-130-14	Bywood Development, Inc.
0602-009	006-130-14	Bywood Development, Inc.
0602-010	006-130-14	Bywood Development, Inc.
0602-011	006-130-14	Bywood Development, Inc.
0602-012	006-130-15	Stejer Axel A and Nora M
0602-013	006-130-18	Boring Eugene T and Frances D
0602-014	006-130-19	Miller Shelby L and Maria A
0602-015	006-130-20	Boring Eugene T and Frances D
0602-016	006-130-26	Fuller Bryce A and Susan C
0602-017	006-130-27	Cranfill Dan and Karen E
0602-018	006-130-27	Cranfill Dan and Karen E
0602-019	006-130-27	Cranfill Dan and Karen E
0602-020	006-130-27	Cranfill Dan and Karen E
0602-021	006-130-28	Worley Eldon L
0602-022	006-130-28	Worley Eldon L
0602-023	006-130-28	Worley Eldon L
0602-024	006-130-28	Worley Eldon L
0602-025	006-130-29	Schultz David E
0602-026	006-130-30	King Stephen A and Mary Louise
0602-027	006-130-31	Rodriguez Edward G and Sherry L
0602-028	006-130-33	Waddel Steven and Maria
0602-029	006-130-34	Daniels Aaron Chas and Barbara Rose
0602-030	006-130-35	Backzkowski Gerard T and Penny M
0602-031	006-130-36	Harris Michael Rost and Amber Kristine
0602-032	006-130-37	Romar Homes, Inc.
0602-033	006-130-38	Romar Homes, Inc.
0602-034	006-130-39	Romar Homes, Inc.
0602-035	006-130-40	Romar Homes, Inc.
0602-036	006-130-41	Romar Homes, Inc.
0602-037	006-130-42	Romar Homes, Inc.
0602-038	006-130-43	Romar Homes, Inc.
0602-039	006-130-44	Romar Homes, Inc.
0602-040	006-130-45	Romar Homes, Inc.
0602-041	006-130-46	Romar Homes, Inc.
0602-042	006-130-47	Romar Homes, Inc.
0602-043	006-130-48	Romar Homes, Inc.

EXHIBIT "C"

ASSEMENT NO.	A.P. NO.	PROPERTY OWNERS
0602-044	006-130-09	Vandeburgh Ronald
0602-045	006-130-16	Wilds David N & Mary Lou
0602-046	006-390-30	Valencia Juan Carlos
0602-047	006-390-29	Hendrie Carl E
0602-048	006-390-73	Eaton Douglas & Lynda
0602-049	006-390-74	Eaton Douglas & Lynda
0602-050	006-390-75	Eaton Douglas & Lynda
0602-051	006-390-72	Romar Homes, Inc.
0602-052	006-390-37	Romar Homes, Inc.
0602-053	006-390-56	White Jason E
0602-054	006-390-57	White Jason E & Kelli L
0602-055	006-390-68	Serna Ronald David
0602-056	006-390-67	Serna Ronald David

EXHIBIT "C"

IX. PRD Budget Worksheet

PERMANENT ROAD DIVISION NO. 0602, BUDGET WORKSHEET

STREETS

SLURRY SEAL AT 7 YEARS CYCLE
 STREET - 0.52 MILES IN LENGTH AND
 30 FEET IN WIDTH
 81,900 SQ FEET, @ \$0.18
 7 YEAR ACCRUE\$ 14,742.00
 COST PER YEAR\$ 2,106.00

0.10 TENTH OVERLAY AT 20 YEAR CYCLE
 STREETS - 0.52 MILES IN LENGTH
 30 FEET IN WIDTH
 81,900 SQ FEET PAVED SURFACE
 COST PER SQ FT., \$ 1.30
 20 YEARS TO ACCRUE\$ 106,470.00
 COST PER YEAR\$ 5,323.00

STORM DRAIN MAINTENANCE

MAINTAIN AND REPLACE WITHIN 50 YEAR CYCLE
 260 FEET IN LENGTH
 COST PER LINEAL FOOT \$ 110.00
 50 YEARS TO ACCRUE\$ 28,600.00
 COST PER YEAR\$ 572.00

SUB-TOTAL COST PER YEAR \$ 8,001.00

ADMINISTRATION TEN PERCENT (10%)\$ 800.10

MANAGEMENT TEN PERCENT (10%)\$ 800.10

CONTINGENCY FIVE PERCENT (5%)\$ 400.05

TOTAL COST\$ 10,001.25

ANNUAL COST PER PARCEL (per initial Assessment Roll).....\$ 178.59