

City Council Resolutions pertaining to the establishment, maintenance and expansion of the Waterway Maintenance District.

Resolution #	Date	Purpose	Synopsis
3870	1/4/1966	Subdivision	APPROVING TENTATIVE SUBDIVISION MAP OF TRACT 1904 (Bahia Las Brisas) SUBJECT TO CERTAIN CONDITIONS.
3900	2/1/1966	Annex	PROPOSED ANNEXATION OF CERTAIN UNINHABITED TERRITORY CONTIGUOUS THERETO DESIGNATED "ANNEXATION 65-A (BAHIA LAS BRISAS)
3970	5/3/2026	Annex	INITIATING PROCEEDINGS TO ANNEX CERTAIN CONTIGUOUS, UNINHABITED TERRITORY DESIGNATED ANNEXATION 65-18 (Channel islands marina) ; giving notice of the proposed annexation, and setting forth the council's reasons for desiring the annexation.
4070	10/5/1966	Subdivision	APPROVING ALTERNATE TENTATIVE SUBDIVISION MAP OF TRACT 1904 (BAHIA LAS BRISAS), SUBJECT TO CERTAIN CONDITIONS.
4111	12/20/1966		WITHDRAWAL OF CERTAIN TERRITORY FROM THE VENTURA COUNTY FIRE PROTECTION DISTRICT. Annexation 65-17a (Bahia Las Brisas)
4275	8/8/1967	Subdivision	EXTENDING THE APPROVAL OF THE TENTATIVE SUBDIVISION MAP OF TRACT 1904 (BAHIA LAS BRISAS), SUBJECT TO CERTAIN CONDITIONS.
4365	1/16/1968	Subdivision	APPROVING THE TENTATIVE SUBDIVISION MAP OF TRACT 1904 (BAHIA LAS BRISAS), SUBJECT TO CERTAIN CONDITIONS).
4410	3/12/1968	Easement	GRANTING A PERPETUAL RIGHT OF INGRESS AND EGRESS, WITHOUT CHARGE, OVER EXISTING AND FUTURE WATERWAYS FROM THE NORTHERN BOUNDARY OF CHANNEL ISLANDS BOULEVARD TO AND THROUGH THE CHANNEL ISLANDS HARBOR TO THE PACIFIC OCEAN FOR THE PURPOSE OF PASSAGE OF BOATS AND WATERCRAFT FROM THE WATERCOURSES OF TRACT NO. 1904, SUBJECT TO CERTAIN CONDITIONS.
4459	5/7/1968	Easement	GRANTING TO BAHIA LAS BRISAS A NON-EXCLUSIVE EASEMENT FOR THE INGRESS AND EGRESS OF WATERCRAFT OVER THE EDISON CHANNEL AT CHANNEL ISLANDS BOULEVARD.
4512	7/2/1968	Map	APPROVING THE FINAL MAP OF TRACT 1904-1 (BAHIA LAS BRISAS), ACCEPTING DEDICATIONS AND AUTHORIZING EXECUTION OF SUBDIVISION IMPROVEMENT CONTRACT.
4576	6/17/1968	Easement	ACCEPTING AN EASEMENT FOR STORM DRAIN PURPOSES FROM R.A.WATT CO., INC., OVER PORTIONS OF LOTS 36 AND 67 OF TRACT 21904-1 AND AUTHORIZING RECORDATION THEREOF.
4608	10/29/1968	Map	APPROVING THE TENTATIVE MAP OF TRACT 1904-2 (BAHIA LAS BRISAS).
4609	10/29/1968	Map	APPROVING FINAL MAP OF TRACT 1904-2 (BAHIA LAS BRISAS), ACCEPTING DEDICATION AND AUTHORIZING EXECUTION OF SUBDIVISION IMPROVEMENT CONTRACT.
4610	10/29/1968	Vacation	DECLARING THE INTENTION OF THE CITY COUNCIL TO VACATE A PORTION OF PARCEL A (WATERWAY) OF TRACT 1904-1 (49 MR 62).
4611	11/5/1998		OVERRULING THE DECISION OF THE PLANNING COMMISSION AND APPROVING SPECIAL USE PERMIT NO. 324

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4619	11/5/1968	Easement	ACCEPTING AN EASEMENT FOR STORM DRAIN PURPOSES FROM R.A. WATT CO., INC., OVER PORTIONS OF LOTS 35 AND 36 AND 66 AND 67 OF TRACT 1904-1 AND AUTHORIZING RECORDATION THEREOF.
4632	11/19/1968	Vacation	ORDERING VACATION OF A PORTION OF PARCEL A (WATERWAY) TRACT 1904-1 (49 MR 62).
4653	12/10/1968	Easement	ACCEPTING AN EASEMENT FOR STORM DRAIN PURPOSES FROM R. A. WATT CO., INC., OVER A PORTION OF LOT 102 OF TRACT 1904-1 AND AUTHORIZING RECORDATION THEREOF.
4797	6/10/1969	Map	APPROVING THE FINAL MAP OF TRACT 1904-3 (BAHIA LAS BRISAS), ACCEPTING DEDICATIONS
4875	9/16/1969	Survey	APPROVING RECORD OF SURVEY 69-20 FILED BY BOISE CASCADE BUILDING COMPANY.
5120	5/26/1970	Map	APPROVING MAP OF ASSESSMENT DISTRICT FOR MAINTENANCE OF WATERWAYS, PARKING INTENTION TO FORM AN ASSESSMENT DISTRICT FOR THE MAINTENANCE OF WATERWAYS, PARKING AND LANDSCAPING IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT IN THE CITY OF OXNARD.
5121	5/26/1970	Establishment	ORDERING THE FORMATION OF A MAINTENANCE DISTRICT IN ACCORDANCE WITH RESOLUTION OF INTENTION NO. 5121
5144	6/16/1970	Formation	APPROVING FINAL MAP OF TRACT 2026-1 ACCEPTING DEDICATIONS AND AUTHORIZING EXECUTION OF SUBDIVISION IMPROVEMENT CONTRACT.
5147	6/23/1970	Map	DECLARING THE INTENTION OF THE CITY COUNCIL TO VACATE A PORTION OF PENINSULA ROAD LYING WITHIN LOTS 24 AND 25 AND PARCEL 19A OF TRACT 2026-1
5187	8/18/1970	Vacation	ORDERING VACATION OF A PORTION OF PENINSULA ROAD AS DEDICATED BY THE MAP OF TRACT NO. 1904-2.
5207	9/8/1970	Vacation	ACCEPTING EASEMENT FOR MAINTENANCE, REPAIR AND REPLACEMENT OF BULKHEADS IN TRACT 1904-1 AND 1904-2.
5210	9/22/1970	Easement	ACCEPTING EASEMENT FOR MAINTENANCE, REPAIR AND REPLACEMENT OF BULKHEADS IN TRACT 1904-1.
5320	3/16/1971	Easement	ACCEPTING EASEMENT FOR MAINTENANCE, REPAIR AND REPLACEMENT OF BULKHEADS IN TRACT 1904-3.
5421	7/27/1971	Easement	ACCEPTING EASEMENT FOR STREET AND WATERWAY FROM BOISE CASCADE BUILDING COMPANY, OVER LOTS 45 AND 52 OF THE PATTERSON RANCH (8 MR 1), AND AUTHORIZING RECORDATION THEREOF.
5475	1/16/1971	Vacation	DECLARING THE INTENTION OF THE CITY COUNCIL TO VACATE A PORTION OF VICTORIA AVENUE SERVICE ROAD (TRACT NO. 1904-1).
5487	11/23/1971	Annex	ANNEXING CERTAIN PROPERTY TO THE WATERWAY MAINTENANCE DISTRICT.
5497	12/7/1971	Vacation	ORDERING THE VACATION OF PORTIONS OF VICTORIA AVENUE SERVICE ROAD BETWEEN CHANNEL ISLANDS BOULEVARD AND HEMLOCK STREET. (49 MR 66
5576	2/15/1972	Name Change	CHANGING THE NAME OF GENEVA COURT TO WITHIN TRACT NO. 1904 IN THE CITY OF OXNARD TO PENINSULA ROAD.

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5741	8/22/1972	Assessment	ADOPTING A BUDGET FOR AND FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1972-1973. AMENDING THE PURPOSES FOR THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT IN THE CITY OF OXNARD.
5946	4/17/1973	Amendment	BUDGET FOR AND FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1973-1974.
6083	8/21/1973	Assessment	WAIVING BID PROCEDURES FOR DREDGING OF THE INLAND WATERWAY
6169	1/15/1974		BUDGET FOR AND FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1974-1975.
6325	8/20/1974	Assessment	DENYING THE CLAIM OF TED F. FLESHER AND BETTY G. FLESHER
6477	6/17/1975		BUDGET FOR AND FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1975-1976.
6552	8/26/1975	Assessment	INTENTION TO FORM AN ASSESSMENT DISTRICT FOR THE MAINTENANCE OF WATERWAYS, PARKING AND LANDSCAPING IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT NO.2 IN THE CITY OF OXNARD.
6757	7/6/1976	Establishment	INTENTION TO ANNEX TERRITORY TO AND AMEND THE PURPOSES OF THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT BY THE ANNEXATION OF TRACT 2026-3 THERETO.
6758	7/6/1976	Annex	ACCEPTING AN EASEMENT FOR MAINTENANCE OF BULKHEADS FROM ARMSTRONG DEVELOPMENT CORPORATION, A PORTION OF TRACT 2026-3 AND AUTHORIZING RECORDATION THEREOF.
6771	8/3/1976		BUDGET FOR AND FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1976-1977.
6802	8/24/1976	Assessment	ANNEXING CERTAIN PROPERTY TO THE WATERWAY MAINTENANCE DISTRICT AND AMENDING ITS PURPOSES.
6830	10/26/1976	Annex	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1977-1978.
7105	8/23/1977	Assessment	

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7401	8/8/1978	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1978-1979.
7687	6/26/1979	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1979-1980.
7927	6/24/1980	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1980-1981.
8168	6/23/1981	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1981-1982.
8353	6/15/1982	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1982-1983.
8524	6/28/1983	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1983-1984.
8672	7/1/1984	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1984-1985.
8847	7/25/1985	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1985-1986.
9034	6/24/1986	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1986-1987.
9236	6/23/1987	Assessment	FIXING THE TAX RATE ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1987-1988.
9272	8/25/1987	Annex	INTENTION TO ANNEX THE PROPERTIES IN MANDALAY BAY PHASE IV, TRACT 4132-1, TO THE EXISTING WATERWAY MAINTENANCE ASSESSMENT DISTRICT, AND TO DIVIDE DISTRICT INTO ASSESSMENT ZONES.
9310	10/13/1987	Annex	ORDERING ANNEXATION OF MANDALAY BAY PHASE IV, TRACT 4323-1 TO THE WATERWAY MAINTENANCE DISTRICT AND THE DIVISION OF DISTRICT INTO ASSESSMENT ZONES.

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9476	6/28/1988	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1988-89
9740	6/13/1989	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1989-90
9897	3/20/1990	Settlement	APPROVING FINAL ACCOUNTING AND COMPLETION OF MANDALAY BAY SETTLEMENTS
9997	6/26/1990	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1990-91
10189	6/11/1991	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1991-92
10409	6/23/1992	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1992-93
10559	5/18/1993	Annex	INTENTION TO ANNEX TERRITORY TO EXISTING WATERWAY MAINTENANCE DISTRICT AND TO CHANGE BOUNDARIES OF ZONE 2
10593	6/22/1993	Annex	ORDERING ANNEXATION OF TRACT 4132-2 AND 4132-3 TO WATERWAY MAINTENANCE DISTRICT AND CHANGE OF BOUNDARIES OF ZONE 2 THEREOF
10594	6/22/1993	Annex	ANNEXATION TO WATERWAY MAINTENANCE DISTRICT AND CHANGE OF BOUNDARIES OF ZONE 2 THEREOF
10595	6/22/1993	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1993-94
10623	8/17/1993	Zoning	PLANNING AND ZONING PERMIT NO. 93-5-20 FOR CONSTRUCTION OF A SOUND WALL WITHIN THE EXISTING PARKWAY PROPERTY LOCATED ALONG THE WEST SIDE OF VICTORIA AVENUE BETWEEN CHANNEL ISLANDS BOULEVARD AND HEMLOCK STREET, SUBJECT TO CERTAIN CONDITIONS. FILED BY ED GRIPP
10624	8/17/1993		INTENTION TO INCLUDE MAINTENANCE OF SOUND WALL IN ZONE ONE OF WATERWAY MAINTENANCE DISTRICT
10775	6/28/1994	Assessment	FIXING THE ASSESSMENT ON PROPERTY IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1994-95
10942	6/27/1995	Assessment	FIXING THE ASSESSMENT ON PROPERTY IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1995-96
11035	5/7/1996	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT FOR THE FISCAL YEAR 1996-97
11195	5/6/1997	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR THE FISCAL YEAR 1997-98
11322	2/3/1998		Proclaiming the existence of a local emergency.

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11327	2/24/1998		CONFIRMING DECISION OF THE ACTING CITY MANAGER TO AUTHORIZE EMERGENCY REPAIR WORK TO THE SEAWALL LOCATED NEAR CHANNEL ISLANDS BOULEVARD AND VICTORIA AVENUE.
11346	5/5/1998	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR FISCAL YEAR 1998-99
11571	5/4/1999	Assessment	FIXING THE ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR FISCAL YEAR 1999-00
11723	5/23/2000	Assessment	FIXING ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR FISCAL YEAR 2000-01
11964	6/5/2001	Assessment	FIXING ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR FISCAL YEAR 2001-02
12199	6/25/2002	Assessment	FIXING ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR FISCAL YEAR 2002-03
12406	6/17/2003	Assessment	FIXING ASSESSMENTS ON PROPERTY IN THE WATERWAY MAINTENANCE DISTRICT FOR FISCAL YEAR 2003-04

RESOLUTION NO. 5121

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD DECLARING ITS INTENTION TO FORM AN ASSESSMENT DISTRICT FOR THE MAINTENANCE OF WATERWAYS, PARKING AND LANDSCAPING IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT IN THE CITY OF OXNARD.

WHEREAS, there have been, or there will be, dedicated as public waterways, parking and landscape areas those certain channels and landscape areas in Tract Nos. 1904 and 2026-1 in the City of Oxnard, and

WHEREAS, the maintenance of said channels, parking and landscape areas primarily will be for the benefit of the properties abutting upon said channels and landscape areas and the costs thereof should be borne by said properties.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES RESOLVE AS FOLLOWS:

1. That the public interest and convenience require and it is the intention of the City Council of the City of Oxnard to order the formation of a district for the following purposes:

Maintenance and operation, including the cost of necessary repairs, replacements, care, supervision, cleaning, dredging and all other items necessary or proper for the maintenance and operation of the waterways dedicated or to be dedicated in Tracts 1904 and 2026-1 in the City of Oxnard, County of Ventura, State of California, and within the district hereinafter described.

Maintenance and operation, including the cost of necessary repairs, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the West Channel of the Channel Islands Marina from the southerly right of way line of Channel Islands Boulevard to the present full channel of the Channel Islands Marina, a distance of approximately 1800 feet, until such time as Ventura County shall commence construction of Phase II of Channel Islands Harbor Development, at which time the County shall become responsible for maintenance, repair and reconstruction of said channel. Said channel shall be maintained with a width of 300 feet at the top, a width of 200 feet at the bottom and a depth of not less than minus ten (-10) feet mean lower low water (MLLW).

Maintenance and operation, including the cost of necessary repairs, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the following:

- (1) The Edison Canal from the north line of the right of way of Channel Islands Boulevard to the north line of Tract No. 2026-1 with concrete bulkheads to enlarge the capacity and to preserve the reliability of the canal to handle 3000 cubic feet of water per second.
- (2) A debris guard and barrier across the Edison Canal at the intersection of the canal with the southerly right of way line of West Fifth Street in Oxnard.
- (3) A barrier at the northerly end of the canal in Tract 2026-1 to prohibit access to the upstream side of the Edison Canal easement.

If persistent water degradation occurs within the Channel Islands Marina south of Channel Islands Boulevard the cause of which is attributable to conditions in the Waterway Maintenance District described herein, such conditions shall be eliminated by the Waterway Maintenance District at the expense of the properties therein.

Maintenance, reconstruction and repair of the waterways within the Waterway Maintenance District resulting from discharge into the waterways of storm water from the Oxnard West Drain.

Maintenance and operation of the landscape areas within the dedicated cul-de-sacs and within the landscape strip separating Victoria Service Road from Victoria Boulevard within Tract 1904, by caring for, cleaning, repairing, placing and replacing of shrubs, lawns, trees, flowers and water services and meters.

Maintenance and operation of the landscape areas and parking areas within Parcels 1A through 15A and within the landscape strip separating Harbor Boulevard Service Road from Harbor Boulevard within Tract 2026-1, by caring for, cleaning, repairing, placing and replacing of shrubs, lawns, trees, flowers, and water services and meters.

Maintenance and operation of the landscape areas on the north side of the embankments for the high level bridge on Channel Islands Boulevard by caring for, cleaning, repairing, placing and replacing of shrubs, lawns, flowers, trees and water services and meters.

That said proposed maintenance and operation in the opinion of the City Council of the City of Oxnard will be to the benefit of the property lying within the hereinafter described boundaries of the proposed assessment district, and the City Council proposes that the cost of such maintenance and operation shall be assessed upon said lands within said district, the boundaries of which are particularly described as follows:

Note: The basis of bearings for this description is centerline of Harbor Boulevard North 24° 46' 56" West, recorded per Tract 1567-1 M.R. 41-84.

The lots 44 and 53 and those portions of lots 45, 46, 47, 50, 51, 52 and 67 of the Patterson Ranch Subdivision as recorded in Book 8, page 1 of Miscellaneous Records (Maps) in the County of Ventura, State of California, described as follows:

Commencing at northeasterly corner of Tract 1904-1 as recorded in Book 49 M.R. 64, said corner being a point of intersection of centerline of Victoria Avenue (former West Road) with the centerline of West Hemlock Street, which is the true point of beginning; thence, along said centerline of Victoria Avenue.

- 1st - South 0° 05' 19" West 2,013.07 feet to the point of intersection with the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence, along said centerline of Channel Islands Boulevard.
- 2nd - North 89° 59' 21" West 2,120.00 feet; thence leaving said centerline,
- 3rd - North 0° 00' 39" East 50.00 feet; thence at the right angle,
- 4th - North 89° 59' 21" West 286.66 feet to the beginning of a tangent curve concave northeasterly and having a radius of 520.00 feet; thence,
- 5th - Along said curve northwesterly through the central angle of 62° 12' 25" a distance of 591.80 feet; thence, on a tangent to said curve and along easterly property line of Harbor Boulevard being 80.00 feet wide,
- 6th - North 24° 46' 56" West 291.70 feet; thence leaving said property line at the right angle,
- 7th - North 65° 13' 04" East 82.83 feet to the point of the non-tangent curve concave northeasterly and having a radius of 15.00 feet; the radial to said point bears North 45° 44' 32" East; thence,
- 8th - Along said curve southeasterly and northeasterly through the central angle of 70° 31' 28" the distance of 18.46 feet; thence,
- 9th - On the tangent to said curve North 65° 13' 04" East 91.38 feet to the beginning of a tangent curve concave southeasterly and having a radius of 380.00 feet; thence,
- 10th - Along said curve northeasterly and easterly through a central angle of 24° 47' 35" a distance of 164.43 feet; thence, on the tangent to said curve,
- 11th - South 89° 59' 21" East 2.24 feet to the beginning of a tangent curve concave northwesterly and having a radius of 15.00 feet; thence,
- 12th - Along said curve northeasterly and northerly through a central angle of 90° 00' 00" a distance of 23.56 feet; thence, on the tangent to said curve,
- 13th - North 0° 00' 39" East 214.18 feet to the beginning of a tangent curve concave southwesterly and having a radius of 32.00 feet; thence,

- 14th - Along said curve northerly and northwesterly through the central angle of $112^{\circ} 48' 03''$ a distance of 63.00 feet; thence on the tangent to said curve,
- 15th - South $67^{\circ} 12' 36''$ West 1.70 feet; thence at the right angle,
- 16th - North $22^{\circ} 47' 24''$ West 44.00 feet; thence at the right angle,
- 17th - North $67^{\circ} 12' 36''$ East 96.56 feet; thence,
- 18th - North $0^{\circ} 00' 39''$ East 100.00 feet; thence,
- 19th - North $4^{\circ} 12' 34''$ West 129.84 feet; thence,
- 20th - North $73^{\circ} 07' 08''$ East 6.02 feet; thence,
- 21st - North $28^{\circ} 58' 33''$ West 100.56 feet to a certain point on a non-tangent curve concave northwesterly and having a radius of 100.00 feet; a radial to said point bears North $22^{\circ} 53' 49''$ West thence,
- 22nd - Along said curve southwesterly through a central angle of $6^{\circ} 00' 57''$ a distance of 10.50 feet; thence on a tangent to said curve,
- 23rd - South $73^{\circ} 07' 08''$ West 65.87 feet; thence at the right angle,
- 24th - North $16^{\circ} 52' 52''$ West 44.00 feet; thence at the right angle,
- 25th - North $73^{\circ} 07' 08''$ East 0.86 feet to the beginning of a tangent curve concave northwesterly and having a radius of 32.00 feet; thence,
- 26th - Along said curve northeasterly, northerly and northwesterly through the central angle of $102^{\circ} 05' 41''$ a distance of 57.02 feet; thence on a tangent to said curve,
- 27th - North $28^{\circ} 58' 33''$ West 306.85 feet to the beginning of a tangent curve concave southerly and having a radius of 15.00 feet; thence,
- 28th - Along said curve northwesterly and westerly through the central angle of $90^{\circ} 00' 00''$ a distance of 23.56 feet; thence on a tangent to said curve,
- 29th - South $61^{\circ} 01' 27''$ West 544.50 feet to a certain point on the easterly property line of Harbor Boulevard being 80.00 feet wide; thence along said property line,
- 30th - North $24^{\circ} 46' 56''$ West 42.11 feet; thence leaving said property line,
- 31st - North $61^{\circ} 01' 27''$ East 1,000.35 feet; thence at the right angle,
- 32nd - South $28^{\circ} 58' 33''$ East 12.00 feet; thence at right angle,
- 33rd - North $61^{\circ} 01' 27''$ East 250.00 feet; thence at right angle,
- 34th - South $28^{\circ} 58' 33''$ East 276.90 feet; thence at right angle,
- 35th - North $61^{\circ} 01' 27''$ East 289.92 feet; thence at right angle,

- 36th - South 28° 58' 33" East 114.45 feet to a certain point on a curve concave southeasterly and having a radius of 84.00 feet; the radial to said point bears North 63° 04' 52" West; thence,
- 37th - Along said curve northeasterly a distance of 50.00 feet; thence on a tangent to said curve,
- 38th - North 61° 01' 27" East 5.63 feet; thence at right angle,
- 39th - South 28° 58' 33" East 14.00 feet; radially to the curve concave southeasterly and having a radius of 530.07 feet; thence along said curve northeasterly through the central angle of 29° 00' 15" a distance of 268.33 feet; thence on the tangent to said curve,
- 40th - South 89° 58' 18" East 1,575.50 feet to the true point of beginning.

EXCEPT: A portion that constitutes the area of Mandalay Canal being in fee to Southern California Edison Company and described as follows:

Commencing at the southeasterly corner of Tract 1904-1 which is a center-line intersection of Victoria Avenue (former West Road) and Channel Islands Boulevard as recorded in Book 49 M.R. 66; thence, North 89° 59' 21" West 1,816.72 feet to the true point of beginning; thence,

- 1st - North 0° 00' 39" East 1,456.24 feet; thence,
- 2nd - North 17° 46' 50" West 174.02 feet; thence,
- 3rd - North 28° 58' 33" West 379.05 feet; thence,
- 4th - South 61° 01' 27" West 150.00 feet; thence,
- 5th - North 28° 58' 33" West 276.90 feet; thence,
- 6th - South 61° 01' 27" West 150.00 feet; thence,
- 7th - South 28° 58' 33" East 617.13 feet; thence,
- 8th - South 17° 46' 50" East 112.60 feet; thence,
- 9th - South 0° 00' 39" West 1,403.30 feet to the existing center-line of Channel Islands Boulevard (former Oxnard Road); thence,
- 10th - South 89° 58' 21" East 300.00 feet to the true point of beginning.

That the district in the City of Oxnard to be benefited by said maintenance and operation is shown on that certain map designated Waterway Assessment District on file in the office of the City Clerk and the City Engineer of the City of Oxnard, and approved by Resolution No. ____ of the City Council of said City and indicating the exterior boundaries thereof, all as described herein:

That said district shall be known and designated as Waterway Maintenance District.

2. That if said district is formed, the City Council of the City of Oxnard in each year prior to the time of fixing the City tax rate shall estimate the cost of maintaining and operating said channels, parking and landscaping to be maintained and operated within said maintenance district during the ensuing year. Said Council shall decide whether or not the cost of the same shall be borne wholly or partially by the said maintenance district and, shall, in addition to all other taxes, fix a special tax rate for the real property within said maintenance district sufficient to raise an amount of money to cover the expense of maintaining said improvements during the ensuing year, or such portion of said amount as the City Council shall determine shall be borne by said district and said City Council shall levy a special assessment tax each year upon the real property in such district sufficient to pay such expense and the portion thereof which must be paid by the district.

Said special assessment tax shall be levied and collected in a manner provided by law at the same time and in the same manner as the general tax levied for the City. Said funds when so collected shall be paid into the City Treasury to the credit of the fund of the maintenance district and be used for the payment of the expenses of such district.

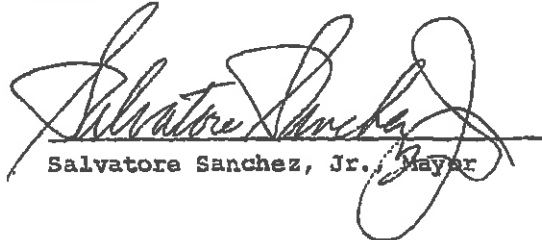
3. The City Council of the City of Oxnard in forming the said maintenance district and proposing to do the maintenance and operation described herein elects to proceed under and in accordance with the provisions of the Improvement Act of 1911, being Division 7 of the Streets and Highways Code of the State of California and in particular Chapter 26 of said division.

4. Notice hereby is given that on June 16, 1970, at 7:30 P.M., in the Council Chambers of said City of Oxnard, in the City Hall located at 305 West Third Street, Oxnard, California, any and all persons having any objection to the ordering of the formation of said maintenance district or to the extent of said maintenance district, or both, may appear before the City Council and show cause why the proposed district should not be formed to the extent described herein.

Protests must be in writing, must contain a description of the property sufficient to identify it and must be delivered to the City Clerk not later than the hour set for hearing.

5. The City Clerk shall certify to the adoption of this Resolution of Intention and shall cause the same to be published twice in the Oxnard Press Courier, a newspaper published and circulated in the City of Oxnard, the first of which publications shall be not less than ten days prior to June 16, 1970, the date of said hearing and which hearing shall be not less than fifteen nor more than sixty days after the date of the adoption of this resolution.

Approved and adopted this 26th day of May, 1970.


Salvatore Sanchez, Jr., Mayor

Attest:


Ethel Dale, City Clerk

RESOLUTION NO. 5144

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ORDERING THE FORMATION OF A MAINTENANCE DISTRICT IN ACCORDANCE WITH RESOLUTION OF INTENTION NO. 5121.

WHEREAS, the City Council of the City of Oxnard on the 26th day of May, 1970, adopted its Resolution of Intention No. 5121 to order the formation of the maintenance district described therein and said Resolution of Intention having been duly and legally published as required by law and notice of the improvement having been given in the manner required by law; and

WHEREAS, protests, if any, filed by the owners of any of the property to be assessed for said maintenance district have been heard and overruled by the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES RESOLVE AS FOLLOWS:

SECTION 1. That the public interest and convenience require and the City Council of the City of Oxnard hereby orders the formation of the maintenance district as described in said Resolution of Intention No. 5121.

SECTION 2. Reference hereby is made to the Resolution of Intention for a description of the maintenance district, the size and extent of the assessment district and for further particulars. Included among the purposes of the maintenance district shall be a water quality and biota monitoring program and a comprehensive boat traffic count program as contemplated by the report of Moffat & Nichols, prepared April, 1970, for the County of Ventura, in order to control pollution and traffic congestion in the waterways.

SECTION 3. The City Clerk hereby is directed to file a certified copy of this resolution in the office of the County Assessor of Ventura County.

SECTION 4. The City Clerk shall certify to the adoption of this resolution.

APPROVED AND ADOPTED this 16th day of June, 1970.

Attest:


Ethel Dale, City Clerk


Donald H. Miller, Mayor Pro-Tem

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RESOLUTION NO. 5487

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
OXNARD ANNEXING CERTAIN PROPERTY TO THE WATERWAY
MAINTENANCE DISTRICT.

WHEREAS, by Resolution No. 5144 the City Council of the City of Oxnard did establish the Waterway Maintenance District in accordance with its Resolution of Intention No. 5121, and

WHEREAS, the City has approved the final subdivision map of Tract No. 2026-2, which property should be included in the Waterway Maintenance District, and

WHEREAS, the owners of all of the property included in Tract No. 2026-2 have petitioned to have said property included in the Waterway Maintenance District and have waived their right to a public hearing and to any further notice of said annexation,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES
RESOLVE AS FOLLOWS:

1. That the public interest and convenience require and the City Council of the City of Oxnard hereby orders that the boundaries of the Waterway Maintenance District, as described in Resolution No. 5121, and as said district is formed in Resolution No. 5144, are hereby amended to include Tract No. 2026-2, which amended boundaries are more particularly described as follows:

The lots 44 and 53 and those portions of lots 45, 46, 47, 50, 51, 52 and 67 of the Patterson Ranch Subdivision as recorded in Book 8, page 1 of Miscellaneous Records (Maps) in the County of Ventura, State of California, described as follows:

Commencing at northeasterly corner of Tract 1904-1 as recorded in Book 49 M.R. 64, said corner being a point of intersection of centerline of Victoria Avenue (former West Road) with the centerline of West Hemlock Road, which is the true point of beginning; thence, along said centerline of Victoria Avenue,

- 1st - South 0° 05' 19" West 2,013.07 feet to the point of intersection with the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence, along said centerline of Channel Islands Boulevard,
- 2nd - North 89° 59' 21" West 2,120.00 feet; thence leaving said centerline,
- 3rd - North 0° 00' 39" East 50.00 feet; thence at the right angle,

- 4th - North 89° 59' 21" West 286.66 feet to the beginning of a tangent curve concave northeasterly and having a radius of 520.00 feet; thence,
- 5th - Along said curve Northwesterly through the central angle of 62° 12' 25" a distance of 591.80 feet; thence, on a tangent to said curve and along easterly right-of-way line of Harbor Boulevard 80.00 feet wide,
- 6th - North 24° 46' 56" West 1,295.01 feet; thence leaving said Easterly line,
- 7th - North 61° 01' 27" East 1,000.35 feet; thence at the right angle,
- 8th - South 28° 58' 33" East 12.00 feet; thence at right angle,
- 9th - North 61° 01' 27" East 250.00 feet; thence at right angle,
- 10th - South 28° 58' 33" East 276.90 feet; thence at right angle,
- 11th - North 61° 01' 27" East 289.92 feet; thence at right angle,
- 12th - South 28° 58' 33" East 114.45 feet to a certain point on a curve concave Southeasterly and having a radius of 84.00 feet; the radial to said point bears North 63° 04' 52" West; thence,
- 13th - Along said curve northeasterly a distance of 50.00 feet; thence on a tangent to said curve,
- 14th - North 61° 01' 27" East 5.63 feet; thence at right angle,
- 15th - South 28° 58' 33" East 14.00 feet; radially to the curve concave Southeasterly and having a radius of 530.07 feet; thence along said curve Northeasterly through the central angle of 29° 00' 15" a distance of 268.33 feet; thence on the tangent to said curve,
- 16th - South 89° 58' 18" East 1,575.50 feet to the true point of beginning.

EXCEPT: A portion that constitutes the area of Mandalay Canal being in fee to Southern California Edison Company and described as follows:

Commencing at the Southeasterly corner of Tract 1904-1 which is a center-line intersection of Victoria Avenue (former West Road) and Channel Islands Boulevard as recorded in Book 49 M.R. 66; thence, North 89° 59' 21" West 1,816.72 feet to the true point of beginning; thence,

- 1st - North 0° 00' 39" East 1,456.24 feet; thence,
- 2nd - North 17° 46' 50" West 174.02 feet; thence,
- 3rd - North 28° 58' 33" West 379.05 feet; thence,
- 4th - South 61° 01' 27" West 150.00 feet; thence,
- 5th - North 28° 58' 33" West 276.90 feet; thence,
- 6th - South 61° 01' 27" West 150.00 feet; thence,
- 7th - South 28° 58' 33" East 617.13 feet; thence,
- 8th - South 17° 46' 50" East 112.60 feet; thence,

9th - South 0° 00' 39" West 1,403.30 feet to the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence,

10th - South 89° 59' 21" East 300.00 feet to the true point of beginning.

Note: The basis of bearings for this description is centerline of Harbor Boulevard North 24° 46' 56" West, recorded per Tract 1567-1 M.R. 41-84.

2. Reference is made to Resolution Numbers 5121 and 5144 for further particulars and for the purposes of the District.

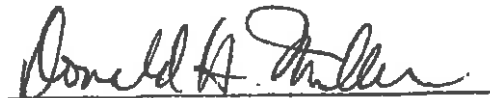
3. The City Clerk shall certify to the adoption of this Resolution and shall file certified copies of this Resolution with the County Assessor and with the State Board of Equalization as provided in Section 54901 of the California Government Code.

Passed and adopted this 23rd day of November, 1971, by the following vote:

AYES: Councilmen Tolmach, Jewell, Miller, Roussey, Sanchez

NOES: None

ABSENT: None


Donald H. Miller, Mayor

ATTEST:


Ethel Dale, City Clerk

Resolution No. 5946

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD DECLARING ITS INTENTION TO AMEND THE PURPOSES FOR THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT IN THE CITY OF OXNARD.

WHEREAS, there have been dedicated as public waterways, parking and landscape areas those certain channels, parking lots and landscape areas in Tract Nos. 1904 and 2026-1 & 2 in the City of Oxnard, and

WHEREAS, the maintenance of said channels, parking and landscape areas primarily will be for the benefit of the properties abutting upon said channels and landscape areas and the costs thereof should be borne by said properties, and

WHEREAS, by Resolutions 5121, 5144 and 5487, the City did form a Waterway Maintenance Assessment District and did annex property thereto, and

WHEREAS, the City desires to amend the purposes of the Waterway Maintenance Assessment District as said purposes are stated in Resolutions 5121, 5144 and 5487.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES RESOLVE AS FOLLOWS:

1. That the public interest and convenience require and it is the intention of the City Council of the City of Oxnard to amend the purposes for which the Waterway Maintenance Assessment District to read as follows:

Maintenance and operation, including the cost of necessary repairs, replacements, care, supervision, cleaning, dredging and all other items necessary or proper for the maintenance and operation of the dedicated waterways and bulkheads in Tracts 1904 and 2026-1, 2 & 3 in the City of Oxnard, County of Ventura, State of California, and within the district hereinafter described.

Maintenance and operation, including the cost of necessary repairs, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the West Channel of the Channel Islands Marina from the southerly right of way line of Channel Islands Boulevard to the present full channel of the Channel Islands Marina, a distance of approximately 1800 feet, until such

time as Ventura County shall commence construction of Phase II of Channel Islands Harbor Development, at which time the County shall become responsible for maintenance, repair and reconstruction of said channel. Said channel shall be maintained with a width of 300 feet at the top, a width of 200 feet at the bottom and a depth of not less than minus ten (-10) feet mean lower low water (MLLW).

Maintenance and operation, including the cost of necessary repair, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the following:

- (1) The Edison Canal from the north line of the right of way of Channel Islands Boulevard to the north line of Tract 2026-1 with concrete bulkheads to enlarge the capacity and to preserve the reliability of the canal to handle 3000 cubic feet of water per second.
- (2) A debris guard and barrier across the Edison Canal at the intersection of the canal with the southerly right of way line of West Fifth Street in Oxnard.
- (3) A barrier at the northerly end of the canal in Tract 2026 to prohibit access to the upstream side of the Edison Canal easement.

If persistent water degradation occurs within the Channel Islands Marina south of Channel Islands Boulevard the cause of which is attributable to conditions in the Waterway Maintenance District described herein, such conditions shall be eliminated by the Waterway Maintenance District at the expense of the properties therein.

Maintenance, reconstruction and repair of the waterways within the Waterway Maintenance District resulting from discharge into the waterways of storm water from the Oxnard West Drain.

Maintenance and operation of the landscape areas within the dedicated cul-de-sacs within Tract No. 1904 by caring for, cleaning, repairing, placing and replacing of shrubs, lawns, trees, flowers, irrigation systems and water services and meters.

Maintenance and operation of the parking and recreation areas within Parcels 1A through 15A, inclusive, of Tract No. 2026-1 and within Parcels 1A through 3A, inclusive, of Tract 2026-2, by caring for, cleaning, repairing, placing and replacing of asphalts, curbs, shrubs, lawns, trees, flowers, irrigation systems and water services and meters.

A program of water quality and biota monitoring and a comprehensive boat traffic count as contemplated by the report of Moffat and Nichols, prepared April, 1970, for the County of Ventura, in order to control pollution and traffic congestion in the waterways.

That said proposed maintenance and operation in the opinion of the City Council of the City of Oxnard will be to the benefit of the property lying within the hereinafter described boundaries of

the proposed assessment district, and the City Council proposes that the cost of such maintenance and operation shall be assessed upon said lands within said district, the boundaries of which are particularly described as follows:

The Lots 44 and 53 and those portions of Lots 45, 46, 47, 50, 51, 52 and 67 of the Patterson Ranch Subdivision as recorded in Book 8, Page 1 of Miscellaneous Records (Maps) in the County of Ventura, State of California, described as follows:

Commencing at northeasterly corner of Tract 1904-1 as recorded in Book 49 MR 64, said corner being a point of intersection of centerline of Victoria Avenue (former West Road) with the centerline of West Hemlock Road, which is the true point of beginning; thence, along said centerline of Victoria Avenue,

- 1st - South $0^{\circ} 05' 19''$ west 2013.07 feet to the point of intersection with the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence, along said centerline of Channel Islands Boulevard,
- 2nd - North $89^{\circ} 59' 21''$ west 2120.00 feet; thence leaving said centerline,
- 3rd - North $0^{\circ} 00' 39''$ east 50.00 feet; thence at the right angle,
- 4th - North $89^{\circ} 59' 21''$ west 286.66 feet to the beginning of a tangent curve concave northeasterly and having a radius of 520.00 feet; thence,
- 5th - Along said curve northwesterly through the central angle of $62^{\circ} 12' 25''$ a distance of 591.80 feet; thence, on a tangent to said curve and along easterly right-of-way line of Harbor Boulevard 80.00 feet wide,
- 6th - North $24^{\circ} 46' 56''$ west 1295.01 feet; thence leaving said easterly line,
- 7th - North $61^{\circ} 01' 27''$ east 1000.35 feet; thence at the right angle,
- 8th - South $28^{\circ} 58' 33''$ east 12.00 feet; thence at right angle,
- 9th - North $61^{\circ} 01' 27''$ east 250.00 feet; thence at right angle,
- 10th - South $28^{\circ} 58' 33''$ east 276.90 feet; thence at right angle,
- 11th - North $61^{\circ} 01' 27''$ east 289.92 feet; thence at right angle,
- 12th - South $28^{\circ} 58' 33''$ east 114.45 feet to a certain point on a curve concave southeasterly and having a radius of 84.00 feet; the radial to said point bears north $63^{\circ} 04' 52''$ west; thence,

- 13th - Along said curve northeasterly a distance of 50.00 feet; thence on a tangent to said curve,
- 14th - North 61° 01' 27" east 5.63 feet; thence at right angle,
- 15th - South 28° 58' 33" east 14.00 feet; radially to the curve concave southeasterly and having a radius of 530.07 feet; thence along said curve northeasterly through the central angle of 29° 00' 15" a distance of 268.33 feet; thence on the tangent to said curve,
- 16th - South 89° 58' 18" east 1575.50 feet to the true point of beginning.

EXCEPT: A portion that constitutes the area of Mandalay Canal being in fee to Southern California Edison Company and described as follows:

Commencing at the southeasterly corner of Tract 1904-1 which is a centerline intersection of Victoria Avenue (former West Road) and Channel Islands Boulevard as recorded in Book 49 MR 66; thence, north 89° 59' 21" west 1816.72 feet to the true point of beginning; thence,

- 1st - North 0° 00' 39" east 1456.24 feet; thence,
- 2nd - North 17° 46' 50" west 174.02 feet; thence,
- 3rd - North 28° 58' 33" west 379.05 feet; thence,
- 4th - South 61° 01' 27" west 150.00 feet; thence,
- 5th - North 28° 58' 33" west 276.90 feet; thence,
- 6th - South 61° 01' 27" west 150.00 feet; thence,
- 7th - South 28° 58' 33" east 617.13 feet; thence,
- 8th - South 17° 46' 50" east 112.60 feet; thence,
- 9th - South 0° 00' 39" west 1403.30 feet to the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence
- 10th - South 89° 59' 21" east 300.00 feet to the true point of beginning.

Note: The basis of bearings for this description is centerline of Harbor Boulevard north 24° 46' 56" west, recorded per Tract 1567-1 MR 41-84.

2. That if the purposes for which said district is formed are amended, the City Council of the City of Oxnard in each year prior to the time of fixing the City tax rate shall estimate the cost of maintaining and operating said channels, parking and landscaping to be maintained and operated within said maintenance district during the ensuing year. Said Council shall decide whether or not the cost

of the same shall be borne wholly or partially by the said maintenance district and, shall, in addition to all other taxes, fix a special tax rate for the real property within said maintenance district sufficient to raise an amount of money to cover the expense of maintaining said improvements during the ensuing year, or such portion of said amount as the City Council shall determine shall be borne by said district and said City Council shall levy a special assessment tax each year upon the real property in such district sufficient to pay such expense and the portion thereof which must be paid by the district.

Said special assessment tax shall be levied and collected in a manner provided by law at the same time and in the same manner as the general tax levied for the City. Said funds when so collected shall be paid into the City Treasury to the credit of the fund of the maintenance district and be used for the payment of the expenses of such district.

3. The City Council of the City of Oxnard in forming the said maintenance district and proposing to do the maintenance and operation described herein elects to proceed under and in accordance with the provisions of the Improvement Act of 1911, being Division 7 of the Streets and Highways Code of the State of California and in particular Chapter 26 of said division.

4. Notice is hereby given that on May 15, 1973, at 7:30 p.m., in the Council Chambers of said City of Oxnard, in the City Hall located at 305 West Third Street, Oxnard, California, any and all persons having any objection to the ordering of the formation of said maintenance district or to the extent of said maintenance district, or both, may appear before the City Council and show cause why the proposed district should not be formed to the extent described herein. Protests must be in writing, must contain a description of the property

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sufficient to identify it and must be delivered to the City Clerk not later than the hour set for hearing.

5. The City Clerk shall certify to the adoption of this Resolution of Intention and shall cause the same to be published twice in the Oxnard Press Courier, a newspaper published and circulated in the City of Oxnard, the first of which publications shall be not less than ten days prior to May 15, 1973, the date of said hearing and which hearing shall be not less than fifteen nor more than sixty days after the date of the adoption of this resolution.

Approved and adopted this 17th day of April, 1973, by the following vote:

AYES: Councilmen Jewell, Kato, Miller, Sanchez, Tolmach.

NOES: None.

ABSENT: None.

ATTEST:

Jane M. Tolmach
Jane M. Tolmach, Mayor

Mary Lake
Mary Lake, Deputy City Clerk

RESOLUTION NO. 6757

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD DECLARING ITS INTENTION TO FORM AN ASSESSMENT DISTRICT FOR THE MAINTENANCE OF WATERWAYS, PARKING AND LANDSCAPING IN THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT NO. 2 IN THE CITY OF OXNARD.

WHEREAS, there have been dedicated as public waterways, parking and landscaping areas those certain channels and landscape areas in Tract No. 2026-3 in the City of Oxnard, and

WHEREAS, the maintenance of said channels, parking and landscape areas primarily will be for the benefit of the properties abutting upon said channels and landscape areas and the costs thereof should be borne by said properties.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES RESOLVE AS FOLLOWS:

1. That the public interest and convenience require and it is the intention of the City Council of the City of Oxnard to order the formation of a district for the following purposes:

Maintenance and operation, including the cost of necessary repairs, replacements, care, supervision, cleaning, dredging and all other items necessary or proper for the maintenance and operation of the waterways dedicated by Tract 2026-3 in the City of Oxnard, County of Ventura, State of California, and within the district hereinafter described.

Maintenance and operation of the landscape areas and parking areas within Parcels 1A through 19A within Tract 2026-3 by caring for, cleaning, repairing, placing and replacing of asphalt, curbs, shrubs, lawns, trees, flowers, irrigation systems and water services and meters.

Joint maintenance with the waterway maintenance assessment district of the following described improvements, the cost of which maintenance shall be pro-rated to each district on the basis of the lineal feet of the center lines of canals, including the Edison Canal, within each district:

Maintenance and operation, including the cost of necessary repairs, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the West Channel of the Channel Islands Marina from the southerly right of way line of Channel Islands

Boulevard to the present full channel of the Channel Islands Marina, a distance of approximately 1800 feet, until such time as Ventura County shall commence construction of Phase II of Channel Islands Harbor Development, at which time the County shall become responsible for maintenance, repair and reconstruction of said channel. Said channel shall be maintained with a width of 300 feet at the top, a width of 200 feet at the bottom and a depth of not less than minus ten (-10) feet mean lower low water (MLLW).

Maintenance and operation, including the cost of necessary repairs, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the following:

- (1) The Edison Canal from the north line of the right of way of Channel Islands Boulevard to the north line of Tract No. 2026-3 with concrete bulkheads excepting the east bank of the Edison Canal for a distance of 1522.9 feet east of Tract 2026-3 to enlarge the capacity and to preserve the reliability of the canal to handle 3000 cubic feet of water per second. The east bank of the Edison Canal for a distance of 1522.9 feet east of Tract 2026-3 shall be maintained with a slope and any necessary up-cast to preserve the reliability of the canal to handle 3000 cubic feet of water per second.
- (2) A debris guard and barrier across the Edison Canal at the north boundary of Tract 2026-3.

If persistent water degradation occurs within the Channel Islands Marina south of Channel Islands Boulevard the cause of which is attributable to conditions in the Waterway Maintenance District described herein, such conditions shall be eliminated by the Waterway Maintenance District at the expense of the properties therein.

Maintenance, reconstruction and repair of the waterways within the Water Maintenance District resulting from discharge into the waterways of storm water from the Oxnard West Drain.

A program of water quality and biota monitoring and a comprehensive boat traffic count as contemplated by the report of Moffat and Nichols, prepared April, 1970, for the County of Ventura, in order to control pollution and traffic congestion in the waterways.

That said proposed maintenance and operation in the opinion of the City Council of the City of Oxnard will be to the benefit of the property lying within the hereinafter described boundaries of the proposed assessment district, and the City Council proposes that the cost

of such maintenance and operation shall be assessed upon said lands within said district, the boundaries of which are particularly described as follows:

Those portions of Lots 45, 46, 50, 51, 52, 67 and 68 of the Patterson Ranch Sub-division, as recorded in Book 8, Page 1 of Miscellaneous Records (Maps), in the City of Oxnard, County of Ventura, State of California, described as a whole as follows:

Beginning at the northwesterly terminus of course number six (6) as described in Resolution Number 5487 of the City Council of said City of Oxnard annexing certain property to the Waterway Maintenance District as adopted by said City Council on the 23rd day of November, 1971; being also a point in the southwesterly boundary of Tract No. 2026-3, as shown on map thereof recorded in Book 58, Page 80 of said Miscellaneous Records; thence along said boundary of Tract No. 2026-3 the following nineteen (19) courses

1. North 24° 46' 56" West 1294.66 feet; thence
2. North 65° 13' 04" East 92.00 feet; thence at right angles thereto
3. South 24° 46' 56" East 2.37 feet to the beginning of a tangent curve concave northeasterly and having a radius of 15.00 feet; thence
4. Along said curve easterly through a central angle of 94° 11' 37" a distance of 24.66; thence tangent from said curve
5. North 61° 01' 27" E 221.13 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet; thence
6. Along said curve easterly through a central angle of 36° 52' 12" a distance of 19.31 feet to the beginning of a reverse curve concave southeasterly and having a radius of 60.00 feet; a radial line thereto bears South 65° 50' 45" East; thence
7. Along said reverse curve through a central angle of 73° 44' 24" a distance of 77.22 feet to the beginning of a reverse curve concave northwesterly and having a radius of 30.00 feet, a radial line thereto bears North 7° 53' 39" East; thence
8. Along last mentioned reverse curve through a central angle of 36° 52' 12" a distance of 19.31 feet; thence tangent from said curve
9. North 61° 01' 27" E 150.00 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet thence
10. Along said curve easterly through a central angle of 36° 52' 12" a distance of 19.31 feet to the beginning of a reverse curve concave southeasterly and a radius of 60.00 feet; a radial line thereto bears South 65° 50' 45" East; thence
11. Along said reverse curve through a central angle of 73° 44' 24" a distance of 77.22 feet to the beginning of a reverse curve concave northwesterly and having a radius of 30.00 feet, a radial line thereto bears North 7° 53' 39" East; thence
12. Along last mentioned reverse curve though a central angle of 36° 52' 12" a distance of 19.31 feet; thence tangent from said curve

13. North $61^{\circ} 01' 27''$ East 134.00 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet; thence
14. Along said curve northerly through a central angle of $90^{\circ} 00' 00''$ a distance of 47.12 feet; thence along a radial line from said curve
15. North $61^{\circ} 01' 27''$ East 48.00 feet; thence at right angles
16. South $28^{\circ} 58' 33''$ East 24.00 feet to the beginning of a tangent curve concave northeasterly and having a radius of 37.00 feet; thence
17. Along said curve southerly through a central angle of $20^{\circ} 12' 34''$ a distance of 13.05 feet to the beginning of a reverse curve concave southwesterly and having a radius of 73.00 feet, a radial line thereto bears South $40^{\circ} 48' 53''$ West; thence
18. Along last mentioned reverse curve through a central angle of $20^{\circ} 12' 34''$ a distance of 25.75 feet; thence along a radial line from said curve
19. N $61^{\circ} 01' 27''$ East 393.23 feet to a point in the northeasterly boundary of the lands described in the deed to Southern California Edison Company and recorded as Document Number 56060, in Book 1685, Page 540 of Official Records of said County; thence along said boundary the following three courses
20. South $28^{\circ} 58' 33''$ East 1901.95 feet; thence
21. South $17^{\circ} 46' 50''$ East 174.02 feet; thence
22. South $0^{\circ} 00' 39''$ 1456.24 feet to the center-line of Channel Islands Boulevard (formerly Oxnard Road), 40.00 feet wide; thence leaving said boundary and along said centerline.
23. North $89^{\circ} 59' 21''$ West 300.00 feet to a point in the westerly boundary of said lands of Southern California Edison Company; thence along said boundary the following two (2) courses
24. North $0^{\circ} 00' 39''$ East 1403.30 feet; thence
25. North $17^{\circ} 46' 50''$ West 112.30 feet; thence
26. North $28^{\circ} 58' 33''$ West 617.13 feet to a point in the northwesterly boundary of said Waterway Maintenance District; being also a point in the southeasterly boundary of said Tract No. 2026-3 thence along said boundary the following three courses
27. South $61^{\circ} 01' 27''$ West 100.00 feet; thence
28. North $28^{\circ} 58' 33''$ West 12.00 feet; thence
29. South $61^{\circ} 01' 27''$ West 1000.35 feet to the point of beginning.

EXCEPT: A portion that constitutes the area of Mandalay Canal being in fee to Southern California Edison Company and described as follows:

Commencing at the southeasterly corner of Tract 1904-1 which is a centerline intersection of Victoria Avenue (former West Road) and Channel Islands Boulevard as recorded in Book 49 M.R. 66; thence, North $89^{\circ} 59' 21''$ West 1,816.72 feet to the true point of beginning; thence,

- 1st - North 0° 00' 39" East 1,456.42 feet; thence,
- 2nd - North 17° 46' 50" West 174.02 feet; thence,
- 3rd - North 28° 58' 33" West 1901.95 feet; thence,
- 4th - South 61° 01' 27" West 300.00 feet; thence,
- 5th - South 28° 58' 33" West 1863.13 feet; thence,
- 6th - South 17° 46' 50" East 112.60 feet; thence,
- 7th - South 0° 00' 39" West 1453.30 feet to the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence,
- 8th - South 89° 58' 21" East 300.00 feet to the true point of beginning.

That the district in the City of Oxnard to be benefited by said maintenance and operation is shown on that certain map designated Waterway Assessment District on file in the office of the City Clerk and the City Engineer of the City of Oxnard, and approved by Resolution No. 6757 of the City Council of said City and indicating the exterior boundaries thereof, all as described herein;

That said district shall be known and designated as Waterway Maintenance District.

2. That if said district is formed, the City Council of the City of Oxnard in each year prior to the time of fixing the City tax rate shall estimate the cost of maintaining and operating said channels, parking and landscaping to be maintained and operated within said maintenance district during the ensuing year. Said Council shall decide whether or not the cost of the same shall be borne wholly or partially by the said maintenance district and, shall, in addition to all other taxes, fix a special tax rate for the real property within said maintenance district sufficient to raise an amount of money to cover the expense of maintaining said improvements during the ensuing year, or such portion of said amount as the City Council shall determine shall be borne by said district and said City Council shall levy a special assessment tax each year upon the real property in such district sufficient to pay such expense and the portion thereof which must be paid by the district.

Said special assessment tax shall be levied and collected in a manner provided by law at the same time and in the same manner as the general tax levied for the City. Said funds when so collected shall be paid into the City Treasury to the credit of the fund of the maintenance district and be used for the payment of the expenses of such district.

3. The City Council of the City of Oxnard in forming the said maintenance district and proposing to do the maintenance and operation described herein elects to proceed under and in accordance with the provisions of the Improvement Act of 1911, being Division 7 of the Streets and Highways Code of the State of California and in particular Chapter 26 of said division.

4. Notice hereby is given that on August 3, 1976, at 7:30 p.m., in the Council Chambers of said City of Oxnard, in the City Hall located at 305 West Third Street, Oxnard, California, any and all persons having any objection to the ordering of the formation of said maintenance district or to the extent of said maintenance district, or both, may appear before the City Council and show cause why the proposed district should not be formed to the extent described herein. Protests must be in writing, must contain a description of the property sufficient to identify it and must be delivered to the City Clerk not later than the hour set for hearing.

5. The City Clerk shall certify to the adoption of this Resolution of Intention and shall cause the same to be published twice in the Oxnard Press Courier, a newspaper published and circulated in the City of Oxnard, the first of which publications shall be not less than ten days prior to August 3, 1976, the date of said hearing and which hearing shall be not less than fifteen nor more than sixty days after the date of the adoption of this resolution.

Approved and adopted this 6th day of July,

1976.

ATTEST:

Mildred W. Foster
Mildred W. Foster, CMC
City Clerk

Taujio Kato
Taujio Kato, D.D.S.
Mayor

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD DECLARING ITS INTENTION TO ANNEX TERRITORY TO AND TO AMEND THE PURPOSES OF THE WATERWAY MAINTENANCE ASSESSMENT DISTRICT BY THE ANNEXATION OF TRACT 2026-3 THERETO.

WHEREAS, there have been dedicated as public waterways, parking and landscape areas those certain channels and landscape areas in Tract Nos. 1904-1, 2 & 3 and 2026-1, 2 and 3 in the City of Oxnard, and

WHEREAS, the maintenance of said channels, parking and landscape areas primarily will be for the benefit of the properties abutting upon said channels and landscape areas and the costs thereof should be borne by said properties.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES RESOLVE AS FOLLOWS:

1.. That the public interest and convenience require and it is the intention of the City Council of the City of Oxnard to order the formation of a district for the following purposes:

Maintenance and operation, including the cost of necessary repairs, replacements, care, supervision, cleaning, dredging and all other items necessary or proper for the maintenance and operation of the waterways dedicated in Tracts 1904-1, 2 & 3 and 2026-1, 2 and 3 in the City of Oxnard, County of Ventura, State of California, and within the district hereinafter described.

Maintenance and operation, including the cost of necessary repairs, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the West Channel of the Channel Islands Marina from the southerly right of way line of Channel Islands Boulevard to the present full channel of the Channel Islands Marina, a distance of approximately 1800 feet, until such time as Ventura County shall commence construction of Phase II of Channel Islands Harbor Development, at which time the County shall become responsible for maintenance, repair and reconstruction of said channel. Said channel shall be maintained with a width of 300 feet at the top, a width of 200 feet at the bottom and a depth of not less than minus ten (-10) feet mean lower low water (MLLW).

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Maintenance and operation, including the cost of necessary repairs, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the following:

- (1) The Edison Canal from the north line of the right of way of Channel Islands Boulevard to the north line of Tract No. 2026-3, excepting the east bank of the Edison Canal for a distance of 1522.9 feet east of Tract 2026-3, with concrete bulkheads to enlarge the capacity and to preserve the reliability of the canal to handle 3000 cubic feet of water per second. The east bank of the Edison Canal for a distance of 1522.9 feet east of Tract 2026-3 shall be maintained with a slope and any necessary up-cap to preserve the reliability of the canal to handle 3000 cubic feet of water per second.
- (2) A debris guard and barrier across the Edison Canal at the north boundary of Tract 2026-3.

If persistent water degradation occurs within the Channel Islands Marina south of Channel Islands Boulevard the cause of which is attributable to conditions in the Waterway Maintenance District described herein, such conditions shall be eliminated by the Waterway Maintenance District at the expense of the properties therein.

Maintenance, reconstruction and repair of the waterways within the Waterway Maintenance District resulting from discharge into the waterways of storm water from the Oxnard West Drain.

Maintenance and operation of the landscape areas within the dedicated cul-de-sacs and with the landscape strip separating Victoria Service Road from Victoria Boulevard within Tract 1904, by caring for, cleaning, repairing, placing and replacing of shrubs, lawns, trees, flowers and water services and meters.

Maintenance and operation of the landscape areas and parking areas within Parcels 1A through 15A, inclusive, of and within Parcels 1A through 3A, inclusive, of Tract No. 2026-2, and within Parcels 1A through 19A, inclusive, of Tract No. 2026-3 by caring for, cleaning, repairing, placing and replacing of asphalt, curbs, shrubs, lawns, trees, flowers, irrigation systems and water services and meters.

Maintenance and operation of the landscape areas on the north side of the embankments for the high level bridge on Channel Islands Boulevard by caring for, cleaning, repairing, placing and replacing of shrubs, lawns, flowers, trees and water services and meters.

A program of water quality and biota monitoring and a comprehensive boat traffic count as contemplated by the report of Moffat and Nichols, prepared April, 1970, for the County of Ventura, in order to control pollution and traffic congestion in the waterways.

That said proposed maintenance and operation in the opinion of the City Council of the City of Oxnard will be to the benefit of the property lying within the hereinafter described boundaries of the proposed assessment district, and the City Council proposes that the cost of such maintenance and operation shall be assessed upon said lands within said district, the boundaries of which are particularly described as follows:

All of lots 44 and 53 and those portions of lots 45, 46, 47, 50, 51, 52, 67 and 68 of the Patterson Ranch Subdivision as recorded in Book 8, page 1 of Miscellaneous Records (Maps) in the City of Oxnard, County of Ventura, State of California, described as follows:

Beginning at northeasterly corner of Tract 1904-1 as recorded in Book 49 M.R. 64, said corner being a point of intersection of Victoria Avenue (former West Road) with the centerline of West Hemlock Street, being also the northeasterly corner of the Waterway Maintenance District as adopted by the City Council of said City of Oxnard in Resolution Number 5487 on the 23rd day of November, 1971; thence along said boundary the following five courses:

- 1st - South 0° 05' 19" West 2,013.07 feet to the point of intersection with the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence, along said centerline of Channel Islands Boulevard,
- 2d - North 89° 59' 21" West 2116.72 feet; thence leaving said centerline,
- 3rd - North 0° 00' 39" East 50.00 feet; thence at right angles,
- 4th - North 89° 59' 21" West 286.66 feet to the beginning of a tangent curve concave northeasterly and having a radius of 520.00 feet; thence,
- 5th - Along said curve Northwesterly through the central angle of 62° 12' 25" a distance of 591.80 feet; thence, on a tangent to said curve and along easterly right-of-way line of Harbor Boulevard 80.00 feet wide to and along the southwesterly boundary of Tract No. 2026-3, as shown on map thereof recorded in Book 58, Page 80 of said Miscellaneous Records
- 6th - North 24° 46' 56" West 2,589.67 feet; thence continuing along the boundary of said Tract No. 2026-3 the following nineteen courses
- 7th - North 65° 13' 04" East 92.00 feet; thence at right angles

- 8th - South $24^{\circ} 46' 56''$ East 2.37 feet to the beginning of a tangent curve concave north-easterly and having a radius of 15.00 feet; thence
- 9th - Along said curve easterly through a central angle of $94^{\circ} 11' 37''$ a distance of 24.66; thence tangent from said curve
- 10th - North $61^{\circ} 01' 27''$ E 221.13 feet to the beginning of a tangent curve concave north-westerly and having a radius of 30.00 feet; thence
- 11th - Along said curve easterly through a central angle of $36^{\circ} 52' 12''$ a distance of 19.31 feet to the beginning of a reverse curve concave southeasterly and having a radius of 60.00 feet; a radial line thereto bears South $65^{\circ} 50' 45''$ East; thence
- 12th - Along said reverse curve through a central angle of $73^{\circ} 44' 24''$ a distance of 77.22 feet to the beginning of a reverse curve concave northwesterly and having a radius of 30.00 feet, a radial line thereto bears North $7^{\circ} 53' 39''$ East; thence
- 13th - Along last mentioned reverse curve through a central angle of $36^{\circ} 52' 12''$ a distance of 19.31 feet; thence tangent from said curve
- 14th - North $61^{\circ} 01' 27''$ E 150.00 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet; thence
- 15th - Along said curve easterly through a central angle of $36^{\circ} 52' 12''$ a distance of 19.31 feet to the beginning of a reverse curve concave southeasterly and having a radius of 60.00 feet; a radial line thereto bears South $65^{\circ} 50' 45''$ East; thence
- 16th - Along said reverse curve through a central angle of $73^{\circ} 44' 24''$ a distance of 77.22 feet to the beginning of a reverse curve concave northwesterly and having a radius of 30.00 feet, a radial line thereto bears North $7^{\circ} 53' 39''$ East; thence
- 17th - Along last mentioned reverse curve through a central angle of $36^{\circ} 52' 12''$ a distance of 19.31 feet; thence tangent from said curve
- 18th - North $61^{\circ} 01' 27''$ East 134.00 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet; thence
- 19th - Along said curve northerly through a central angle of $90^{\circ} 00' 00''$ a distance of 47.12 feet; thence along a radial line from said curve.
- 20th - North $61^{\circ} 01' 27''$ East 48.00 feet; thence at right angles

- 21st - South 28° 58' 33" East 24.00 feet to the beginning of a tangent curve concave northeasterly and having a radius of 37.00 feet; thence
- 22nd - Along said curve southerly through a central angle of 20° 12' 34" a distance of 13.05 feet to the beginning of a reverse curve concave southwesterly and having a radius of 73.00 feet, a radial line thereto bears South 40° 48' 53" West; thence
- 23rd - Along last mentioned reverse curve through a central angle of 20° 12' 34" a distance of 25.75 feet; thence along a radial line from said curve
- 24th - N 61° 01' 27" East 393.23 feet; thence at right angles
- 25th - South 28° 58' 33" East 1522.90 feet to a point in the said boundary of the Waterway Maintenance District; thence along said boundary
- 26th - North 61° 01' 27" East 139.92 feet; thence at right angle,
- 27th - South 28° 58' 33" East 114.45 feet to a certain point on a curve concave Southeasterly and having a radius of 84.00 feet; the radial to said point bears North 63° 04' 52" West, thence,
- 28th - Along said curve northeasterly a distance of 50.00 feet; thence on a tangent to said curve,
- 29th - North 61° 01' 27" East 5.63 feet; thence at right angle,
- 30th - South 28° 58' 33" East 14.00 feet; radially to the curve concave Southeasterly and having a radius of 530.07 feet; thence along said curve North-easterly through the central angle of 29° 00' 15" a distance of 268.33 feet; thence on the tangent to said curve,
- 31st - South 89° 58' 18" East 1,575.50 feet to the point of beginning.

Except a portion that constitutes the area of Mandalay Canal, being owned in fee by the Southern California Edison Company and described as follows:

Commencing at the southeasterly corner of Tract 1904-1 which is a centerline intersection of Victoria Avenue (former West Road) and Channel Islands Boulevard as recorded in Book 49 MR 66; thence, north 89° 59' 21" west 1816.72 feet to the true point of beginning; thence,

- 1st - North 0° 00' 39" east 1456.24 feet; thence,
- 2nd - North 17° 46' 50" west 174.02 feet; thence,
- 3rd - North 28° 58' 33" west 1901.95 feet; thence,
- 4th - South 61° 01' 27" west 300.00 feet; thence,

- 5th - South 28° 58' 33" east 1863.13 feet; thence,
 6th - South 17° 46' 50" east 112.60 feet; thence,
 7th - South 0° 00' 39" west 1453.30 feet to the
 existing centerline of Channel Islands
 Boulevard (former Oxnard Road); thence
 8th - South 89° 59' 21" east 300.00 feet to the true
 point of beginning.

Note: The basis of bearings for this description is
 centerline of Harbor Boulevard north 24° 46'
 56" west, recorded per Tract 1567-1 MR 41-84.

That the district in the City of Oxnard to be benefited by
 said maintenance and operation is shown on that certain map designated
 Waterway Assessment District on file in the office of the City Clerk
 and the City Engineer of the City of Oxnard, and approving by Resolution
 No. 6758 of the City Council of said City and indicating the
 exterior boundaries thereof, all as described herein:

That said district shall be known and designated as Waterway
 Maintenance District.

2. That if said district is formed, the City Council of the
 City of Oxnard in each year prior to the time of fixing the City tax
 rate shall estimate the cost of maintaining and operating said channels,
 parking and landscaping to be maintained and operated within said
 maintenance district during the ensuing year. Said Council shall decide
 whether or not the cost of the same shall be borne wholly or partially
 by the said maintenance district and, shall, in addition to all other
 taxes, fix a special tax rate for the real property within said main-
 tenance district sufficient to raise an amount of money to cover the
 expense of maintaining said improvements during the ensuing year, or
 such portion of said amount as the City Council shall determine shall
 be borne by said district and said City Council shall levy a special
 assessment tax each year upon the real property in such district
 sufficient to pay such expense and the portion thereof which must be
 paid by the district.

Said special assessment tax shall be levied and collected in
 a manner provided by law at the same time and in the same manner as
 the general tax levied for the City. Said funds when so collected shall

be paid into the City Treasury to the credit of the fund of the maintenance district and be used for the payment of the expenses of such district.

3. The City Council of the City of Oxnard in forming the said maintenance district and proposing to do the maintenance and operation described herein elects to proceed under and in accordance with the provisions of the Improvement Act of 1911, being Division 7 of the Streets and Highways Code of the State of California and in particular Chapter 26 of said division.

4. Notice hereby is given that August 3, 1976, at 7:30 p.m. in the Council Chambers of said City of Oxnard, in the City Hall located at 305 West Third Street, Oxnard, California, any and all persons having any objection to the ordering of the formation of said maintenance district or to the extent of said maintenance district, or both, may appear before the City Council and show cause why the proposed district should not be formed to the extent described herein. Protests must be in writing, must contain a description of the property sufficient to identify it and must be delivered to the City Clerk not later than the hour set for hearing.

5. The City Clerk shall certify to the adoption of this Resolution of Intention and shall cause the same to be published twice in the Oxnard Press Courier, a newspaper published and circulated in the City of Oxnard, the first of which publications shall be not less than ten days prior to August 3, 1976, the date of said hearing and which hearing shall be not less than fifteen nor more than sixty days after the date of the adoption of this resolution.

Approved and adopted this 6th day of July,
1976.

Tsujio Kato
Tsujio Kato, D.D.S.
Mayor

ATTEST:

Mildred W. Foster
Mildred W. Foster, CMC
City Clerk

RESOLUTION NO. 6830

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ANNEXING CERTAIN PROPERTY TO THE WATERWAY MAINTENANCE DISTRICT AND AMENDING ITS PURPOSES.

WHEREAS, By Resolution No. 5144 the City Council of the City of Oxnard did establish the Waterway Maintenance District in accordance with its Resolution of Intention No. 5121, and

WHEREAS, by Resolution No. 5487 the City Council of the City of Oxnard did annex Tract No. 2026-2 to the Waterway Maintenance District, and

WHEREAS, the City has accepted the waterways in Tract No. 2026-3 for maintenance, and said property should be included in the Waterway Maintenance District, and

WHEREAS, the owners of all of the property included in Tract No. 2026-3 have petitioned to have said property included in the Waterway Maintenance District and have waived their right to a public hearing and to any further notice of said annexation, and

WHEREAS, the City Council desires to amend the purposes of the Waterway Maintenance District, and

WHEREAS, the City Council of the City of Oxnard on July 6, 1976, adopted its Resolution No. 6758, to amend the purposes of the Waterway Maintenance District by amending the purposes set forth in Resolutions 5121 and 5144,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES RESOLVE AS FOLLOWS:

1. That the public interest and convenience require and the City Council of the City of Oxnard hereby orders that the boundaries of the Waterway Maintenance District, as described in Resolution Nos. 5121, 5144 and 5487, are hereby amended to include Tract No. 2026-3, which amended boundaries are more particularly described as follows:

All of lots 44 and 53 and those portions of lots 45, 46, 47, 50, 51, 52, 67 and 68 of the Patterson Ranch Subdivision as recorded in Book 8, page 1 of Miscellaneous Records (Maps) in the City of Oxnard, County of Ventura, State of California, described as follows:

- 13th - Along last mentioned reverse curve through a central angle of $36^{\circ} 52' 12''$ a distance of 19.31 feet; thence tangent from said curve
- 14th - North $61^{\circ} 01' 27''$ East 150.00 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet; thence
- 15th - Along said curve easterly through a central angle of $36^{\circ} 52' 12''$ a distance of 19.31 feet to the beginning of a reverse curve concave southeasterly and having a radius of 60.00 feet; a radial line thereto bears South $65^{\circ} 50' 45''$ East; thence
- 16th - Along said reverse curve through a central angle of $73^{\circ} 44' 24''$ a distance of 77.22 feet to the beginning of a reverse curve concave northwesterly and having a radius of 30.00 feet, a radial line thereto bears North $7^{\circ} 53' 39''$ East; thence
- 17th - Along last mentioned reverse curve through a central angle of $36^{\circ} 52' 12''$ a distance of 19.31 feet; thence tangent from said curve
- 18th - North $61^{\circ} 01' 27''$ East 134.00 feet to the beginning of a tangent curve concave northwesterly and having a radius of 30.00 feet; thence
- 19th - Along said curve northerly through a central angle of $90^{\circ} 00' 00''$ a distance of 47.12 feet; thence along a radial line from said curve.
- 20th - North $61^{\circ} 01' 27''$ East 48.00 feet; thence at right angles
- 21st - South $28^{\circ} 58' 33''$ East 24.00 feet to the beginning of a tangent curve concave northeasterly and having a radius of 37.00 feet; thence
- 22nd - Along said curve southerly through a central angle of $20^{\circ} 12' 34''$ a distance of 13.05 feet to the beginning of a reverse curve concave southwesterly and having a radius of 73.00 feet, a radial line thereto bears South $40^{\circ} 48' 53''$ West; thence
- 23rd - Along last mentioned reverse curve through a central angle of $20^{\circ} 12' 34''$ a distance of 25.75 feet; thence along a radial line from said curve
- 24th - North $61^{\circ} 01' 27''$ East 393.23 feet; thence at right angles
- 25th - South $28^{\circ} 58' 33''$ East 1522.90 feet to a point in the said boundary of the Waterway Maintenance District; thence along said boundary
- 26th - North $61^{\circ} 01' 27''$ East 139.92 feet; thence at right angle
- 27th - South $28^{\circ} 58' 33''$ East 114.45 feet to a certain point on a curve concave Southeasterly and having a radius of 84.00 feet; the radial to said point bears North $63^{\circ} 04' 52''$ West; thence
- 28th - Along said curve northeasterly a distance of 50.00 feet; thence on a tangent to said curve,

- 29th - North 61° 01' 27" East 5.63 feet; thence at right angle,
 30th - South 28° 58' 33" East 14.00 feet; radially to the curve concave Southeasterly and having a radius of 530.07 feet; thence along said curve Northeasterly through the central angle of 29° 00' 15" a distance of 268.33 feet; thence on the tangent to said curve,
 31st - South 89° 58' 18" East 1575.50 feet to the point of beginning.

Except a portion that constitutes the area of Mandalay Canal, being owned in fee by the Southern California Edison Company and described as follows:

Commencing at the southeasterly corner of Tract 1904-1 which is a centerline intersection of Victoria Avenue (former West Road) and Channel Islands Boulevard as recorded in Book 49 MR 66; thence, north 89° 59' 21" West 1816.72 feet to the true point of beginning; thence,

- 1st - North 0° 00' 39" East 1456.24 feet; thence,
 2nd - North 17° 46' 50" West 174.02 feet; thence,
 3rd - North 28° 58' 33" West 1901.95 feet; thence,
 4th - South 61° 01' 27" West 300.00 feet; thence,
 5th - South 28° 58' 33" East 1863.13 feet; thence,
 6th - South 17° 46' 50" East 112.60 feet; thence,
 7th - South 0° 00' 39" West 1453.30 feet to the existing centerline of Channel Islands Boulevard (former Oxnard Road); thence
 8th - South 89° 59' 21" East 300.00 feet to the true point of beginning.

NOTE: The basis of bearings for this description is centerline of Harbor Boulevard north 24° 46' 56" West, recorded per Tract 1567-1 MR 41-84.

2. The public interest and convenience require that the purposes of the Waterway Maintenance District be amended to be as follows:

Maintenance and operation, including the cost of necessary repairs, replacements, care, supervision, cleaning, dredging and all other items necessary or proper for the maintenance and operation of the waterways and bulkheads dedicated in Tracts 1904-1, 2 & 3 and 2026-1, 2 and 3 in the City of Oxnard, County of Ventura, State of California, and within the district hereinafter described.

Maintenance and operation, including the cost of necessary repairs, replacement, care, supervision, cleaning, dredging and all other items and acts necessary for the proper maintenance of the following:

- (1) The Edison Canal from the north line of the right of way of Channel Islands Boulevard to the north line of Tract No. 2026-3, excepting the east bank of the Edison Canal east of Tract 2026-3 for a distance of 1522.9 feet north of Tract 2026-1, with concrete bulkheads to enlarge the capacity and to preserve the reliability of the canal to handle 3000 cubic feet of water per second.
- (2) A debris guard and barrier across the Edison Canal at the north boundary of Tract 2026-3.

If persistent water degradation occurs within the Channel Islands Marina south of Channel Islands Boulevard the cause of which is attributable to conditions in the Waterway Maintenance District described herein, such conditions shall be eliminated by the Waterway Maintenance District at the expense of the properties therein.

Maintenance, reconstruction and repair of the waterways within the Waterway Maintenance District resulting from discharge into the waterways of storm water from the Oxnard West Drain.

Maintenance and operation by caring for, cleaning, repairing, placing and replacing of asphalt, curbs, shrubs, lawns, trees, flowers, irrigation systems and water services and meters of the landscape areas within the dedicated cul-de-sacs within Tract 1904 and of the landscape areas and parking areas within Parcels 1A through 15A, inclusive, of Tract 2026-1, within Parcels 1A through 3A, inclusive, of Tract 2026-2, and within Parcels 1A through 19A, inclusive, of Tract No. 2026-3.

A program of water quality and biota monitoring and a comprehensive boat traffic count as contemplated by the report of Moffat and Nichols, prepared April, 1970, for the County of Ventura, in order to control pollution and traffic congestion in the waterways.

3. The proposed maintenance and operation in the opinion of the City Council of the City of Oxnard will be for the benefit of the property lying within the boundaries of the herein described Waterway Maintenance District, and the costs of such maintenance and operation shall be assessed upon the lands within said district.

4. That if said district is formed. The City Council of the City of Oxnard in each year prior to the time of fixing the City tax rate shall estimate the cost of maintaining and operating said channels, parking and landscaping to be maintained and operated within said

maintenance district during the ensuing year. The Council shall decide whether or not the cost of the same shall be borne wholly or partially by the said maintenance district and, shall, in addition to all other taxes, fix a special tax rate for the real property within said maintenance district sufficient to raise an amount of money to cover the expense of maintaining said improvements during the ensuing year, or such portion of said amount as the City Council shall determine shall be borne by said district and said City Council shall levy a special assessment tax each year upon the real property in such district sufficient to pay such expense and the portion thereof which must be paid by the district.

Said special assessment tax shall be levied and collected in a manner provided by law at the same time in the same manner as the general tax levied for the City. Said funds when so collected shall be paid into the City Treasury to the credit of the fund of the maintenance district and be used for the payment of the expenses of such district.

5. The City Council of the City of Oxnard in forming the said maintenance district and proposing to do the maintenance and operation described herein elects to proceed under and in accordance with the provisions of the Improvement Act of 1911, being Division 7 of the Streets and Highways Code of the State of California and in particular Chapter 26 of said division.

6. The City Clerk shall certify to the adoption of this Resolution and shall file certified copies of this Resolution with the County Assessor and with the State Board of Equalization as provided in Section 54901 of the California Government Code.

Passed and adopted this 26th day of October, 1976, by the following vote:

AYES: Councilmen Takasugi, Tolmach, Kato, Maxwell, Miller

NOES: None

ABSENT: None

ATTEST:

Mildred W. Foster
Mildred W. Foster, CMC
City Clerk

Tsujio Kato
Tsujio Kato, D.D.S.
Mayor



CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 9272

RESOLUTION DECLARING INTENTION TO ANNEX
THE PROPERTIES IN MANDALAY BAY PHASE IV,
TRACT 4132-1, TO THE EXISTING WATERWAY
MAINTENANCE ASSESSMENT DISTRICT, AND TO
DIVIDE DISTRICT INTO ASSESSMENT ZONES.

WHEREAS, there will be dedicated to the City various public improvements including public waterways, parking, and landscaped areas in Mandalay Bay Phase IV, Tract 4132-1; and

WHEREAS, the maintenance of such improvements together with various improvements maintained by the existing District will benefit the properties in Mandalay Bay Phase IV, Tract 4132-1, so that such properties should be assessed to pay a portion of the costs thereof;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES RESOLVE AS FOLLOWS:

1. The public interest and convenience require and it is the intention of the City Council of the City of Oxnard to order the annexation of properties in Mandalay Bay Phase IV, Tract 4132-1, to the existing Waterway Maintenance District as described in Resolution No. 6830 for the purpose of sharing the costs of maintaining the various public improvements within the District including waterways, parking, and landscaped areas.

The area to be annexed is all of Tract No. 4132-1 in the County of Ventura, State of California, as per map recorded in Book 108, page 37 of Miscellaneous Records of said County, described as follows:

Beginning at a point in the northeasterly line of the Edison Canal (Mandalay Canal), 300 feet wide, as shown on said map, at the corner common to Lot 1 of said Tract No. 4132-1 and Lot 124, Tract 2026-1 as per map recorded in Book 55, Page 79, Miscellaneous Records of said County, said point also being the southeasterly terminus of the 25th course of the Waterways Maintenance District as filed in the City of Oxnard as Resolution 6830 on October 26, 1976;

thence along the boundary line of said Tract No. 4132-1 by the following 41 courses,

1st: North $27^{\circ} 47' 35''$ West, along said northeasterly line of the Edison Canal and said 25th course, 1397.91 feet to the northwesterly corner of said Tract No. 4132-1; thence,

2nd: South $88^{\circ} 46' 48''$ East, 1474.58 feet to the northeasterly corner of said tract; thence,

3rd: South $27^{\circ} 12' 52''$ West, 123.49 feet; thence,

4th: North $43^{\circ} 46' 48''$ West, 117.50 feet; thence,

5th: North $88^{\circ} 46' 48''$ West, 93.95 feet; thence,

6th: South $46^{\circ} 13' 12''$ West, 97.09 feet; thence,

7th: South $1^{\circ} 13' 12''$ West, 31.93 feet; thence,

8th: South $27^{\circ} 12' 52''$ West, 95.70 feet; thence,

9th: South $17^{\circ} 47' 08''$ East, 131.14 feet; thence,

10th: South $36^{\circ} 00' 00''$ West, 96.22 feet; thence,

11th: South $9^{\circ} 00' 00''$ East, 69.30 feet; thence,

12th: North $88^{\circ} 46' 48''$ West, 139.30 feet; thence,

13th: North $27^{\circ} 47' 35''$ West, 211.26 feet; thence,

14th: North $17^{\circ} 12' 25''$ East, 28.28 feet; thence,

15th: North $27^{\circ} 47' 35''$ West, 93.95 feet; thence,

16th: North $72^{\circ} 47' 35''$ West, 118.47 feet; thence,

17th: North $88^{\circ} 46' 48''$ West, 484.54 feet; thence,

18th: South $46^{\circ} 13' 12''$ West, 93.95 feet; thence,

19th: South $1^{\circ} 13' 12''$ West, 83.62 feet; thence,

20th: South $27^{\circ} 47' 35''$ East 165.76 feet; thence,

21st: South $72^{\circ} 47' 35''$ East, 93.95 feet; thence,

22nd: North $62^{\circ} 12' 25''$ East, 264.03 feet; thence,

23rd: North $17^{\circ} 12' 25''$ East, 51.44 feet; thence,

24th: North $22^{\circ} 11' 19''$ West, 27.29 feet; thence,

25th: North $1^{\circ} 13' 12''$ East, 30.00 feet, radially to the beginning of a non-tangent curve concave southwesterly having a radius of 225.00 feet; thence,.

26th: Southeasterly along said curve through a central angle of $60^{\circ} 59' 13''$ an arc distance of 239.50 feet; thence

27th: South $27^{\circ} 47' 35''$ East, 242.41 feet to the beginning of a tangent curve concave northeasterly having a radius of 30.00 feet; thence,

28th: Southeasterly along said curve through a central angle of $58^{\circ} 39' 19''$ an arc distance of 30.71 feet; thence,

29th: South $86^{\circ} 26' 54''$ East, 95.30 feet to the beginning of a tangent curve concave southwesterly having a radius of 123.59 feet; thence,

30th: Southeasterly along said curve through a central angle of $23^{\circ} 39' 46''$ an arc distance of 51.04 feet; thence,

31st: South $62^{\circ} 47' 08''$ East, 18.18 feet to the beginning of a tangent curve concave northwesterly having a radius of 25.00 feet; thence,

32nd: Northeasterly along said curve through a central angle of $90^{\circ} 00' 00''$ an arc distance of 39.27 feet; thence,

33rd: North $27^{\circ} 12' 52''$ East, 116.00 feet; thence,

34th: South $62^{\circ} 47' 08''$ East, 48.00 feet to a point on the southeasterly boundary of said Tract No. 4132-1; thence along said southeasterly boundary by the following two courses,

35th: South $27^{\circ} 12' 52''$ West, 611.82 feet; thence,

36th: South $17^{\circ} 05' 45''$ East 111.44 feet, radially to the northerly line of West Hemlock Street, 52 feet wide, said point also being on a non-tangent curve concave southeasterly having a radius of 544.07 feet; thence along said northerly line of West Hemlock Street by the following three courses,

37th: Southwesterly along said curve through a central angle of $10^{\circ} 41' 27''$ an arc distance of 101.52 feet to the easterly terminus of the 29th course of said Waterways Maintenance District; thence along said existing Waterways Maintenance District by the following four courses,

38th: South $62^{\circ} 12' 48''$ West, 5.63 feet to the beginning of a tangent curve concave southeasterly having a radius of 84.00 feet; thence,

39th: Southwesterly along said curve through a central angle of $34^{\circ} 06' 19''$ an arc distance of 50.00 feet, to a point at the corner common to said Lot 1 and Lot 124; thence along said common line of said lots by the following two courses,

40th: North $27^{\circ} 47' 11''$ West, 114.45 feet; thence,

41st: South $62^{\circ} 12' 49''$ West, 139.92 feet to the point of beginning.

2. The public interest and the convenience require and it is the intention of the City Council of the City of Oxnard to order that Mandalay Bay Phase IV, Tract 4132-1, and the existing Waterway Maintenance District be divided into assessment zones, with Zone 1 being the existing Waterway Maintenance District less the portion of the Edison Canal adjacent to Mandalay Bay Phase IV, Tract 4132-1, extending from the boundary of Tract 4132-1 150 feet to the center line of the Edison Canal, and Zone 2 being Mandalay Bay Phase IV, Tract 4132-1, plus the said portion of the Edison Canal adjacent to Tract 4132-1, as shown in the map attached as Exhibit A.

3. The annexation of such properties to the existing Waterway Maintenance District will be to the benefit of the properties within Mandalay Bay Phase IV, Tract 4132-1, and the City Council proposes that the appropriate portion of the cost of such maintenance, based upon the burden created by the development of Mandalay Bay Phase IV, Tract 4132-1, shall be assessed upon the lands by assessment zones.

4. After annexation, the City Council shall for each year estimate the cost of maintenance required during the ensuing year. The Council shall decide whether such cost shall be borne wholly or partially by the Waterway Maintenance District and each zone therein, and shall, in addition to all other taxes and assessments, fix special assessment rates for the real property within the Waterway

Maintenance District sufficient to raise an amount of money to cover the expense of maintenance during the ensuing year, or such portion of such amount as the City Council shall determine shall be borne by said district. The City Council shall levy special assessments each year upon the real property in such district sufficient to pay such expense or the portion thereof which must be paid by the district.

Such special assessments shall be levied and collected in a manner provided by law at the same time and in the same manner as the general tax levied by the County of Ventura. Such funds when so collected shall be paid into the City Treasury to the credit of the fund of the maintenance district.

5. The City Council in annexing Mandalay Bay Phase IV, Tract 4132-1, to the Waterway Maintenance District and proposing to do the maintenance described herein elects to proceed under and in accordance with the provisions of the Improvement Act of 1911, being Division 7 of the Streets and Highways Code of the State of California and in particular Chapter 26 of such division.

6. Notice hereby is given that on October 13, 1987, at 7:30 p.m. in the Council Chambers of said City of Oxnard, in the City Hall located at 305 West Third Street, Oxnard, California, any and all persons having any objection to the ordering of the annexation of Mandalay Bay Phase IV, Tract 4132-1, to the existing Waterway Maintenance District; division into assessment zones or to the extent of such maintenance district, may appear before the City Council and show cause why Mandalay Bay Phase IV, Tract 4132-1, should not be annexed to the extent described herein and why the Waterway Maintenance District should not be divided into zones. Protests must be in writing, must contain a description of the property sufficient to identify it and must be delivered to the City Clerk not later than the hour set for hearing.

7. City Clerk is instructed to give notice by mail of the time, place, and purpose of the hearing to each owner whose name and

address appears on the last assessment roll and who owns real property within the boundaries of the territory sought to be annexed and zoned. The notice shall contain the name and telephone number of the Public Works Department of the City of Oxnard to answer inquiries regarding the hearing proceedings.

8. The City Clerk is instructed to post notices of the hearing in three conspicuous places within the territory proposed to be annexed and zoned. The notices shall be headed "Notice of Hearing" in letters not less than one inch in height and shall contain a diagram of the territory proposed to be annexed and zoned, and a statement of the time and place of the hearing. The notice shall be posted not less than 10 days prior to the date set for the hearing.

9. The City Clerk shall certify to the adoption of this Resolution of Intention and shall cause the same to be published twice in the Oxnard Press Courier, a newspaper published and circulated in the City of Oxnard, the first of which publication shall be not less than ten days prior to October 13, 1987, the date of the hearing and which hearing shall be not less than fifteen nor more than sixty days after the date of the adoption of this resolution.

10. The City Clerk is instructed to file, upon the completion of the mailing, posting, and publishing, an affidavit setting forth the time and manner as required by Section 5838 of the California Streets and Highways Code.

APPROVED AND ADOPTED this 25th day of August,

1987, by the following vote:

AYES: Council Members: Johs, Lopez, Maron, Plisky and Takasugi

NOES: None

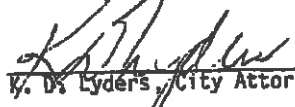
ABSENT: None


Nao Takasugi, Mayor

ATTEST:


Mabi Plisky, City Clerk

APPROVED AS TO FORM:


K. D. Lyders, City Attorney

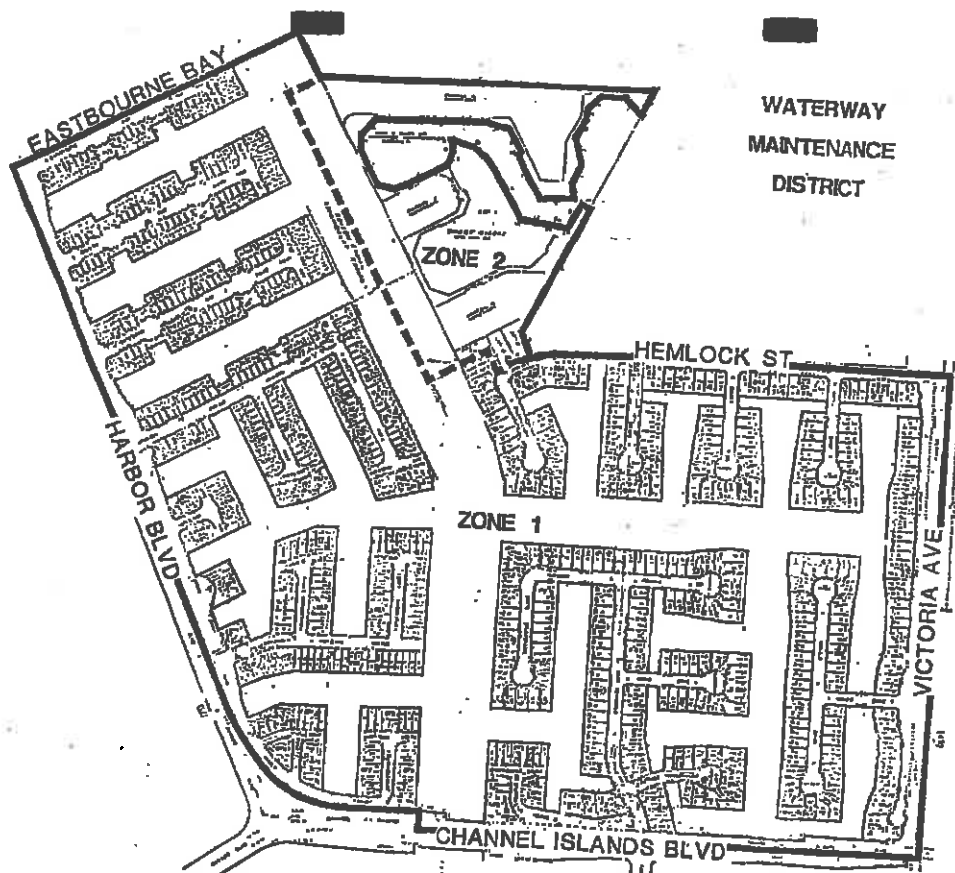


EXHIBIT A

Annexation & Zones

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 9310

RESOLUTION ORDERING ANNEXATION OF MANDALAY
BAY PHASE IV, TRACT 4132-1 TO THE WATERWAY
MAINTENANCE DISTRICT AND THE DIVISION OF
DISTRICT INTO ASSESSMENT ZONES

WHEREAS, by Resolution No. 5144 the City Council established the Waterway Maintenance District in accordance with its Resolution of Intention No. 5121; and

WHEREAS, by Resolution No. 5487 the City Council annexed Tract No. 2026-2 to the Waterway Maintenance District; and

WHEREAS, by Resolution No. 6830 the City Council annexed Tract 2026-3 to the Waterway Maintenance District in accordance with its Resolution of Intention No. 6758; and

WHEREAS, by Resolution No. 9272 adopted on August 25, 1987, the City Council declared its intention to order the annexation of properties in Mandalay Bay Phase IV, Tract 4132-1, and the division of the District into assessment zones; and

WHEREAS, after notice having been given as required by law a public hearing was held on October 13, 1987, for the purpose of hearing and passing on protests against the annexation of properties in Mandalay Bay Phase IV, Tract 4132-1, to the Waterway Maintenance District and the division of the District into assessment zones; and

WHEREAS, at such hearing the City Council has heard and overruled all protests against the annexation from the owners of property within Mandalay Bay Phase IV and within the existing Waterway Maintenance District;

Resolution No. 9310

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NOW, THEREFORE, THE CITY COUNCIL RESOLVES AND DETERMINES AS FOLLOWS:

1. The property within Mandalay Bay Phase IV, Tract 4132-1, is hereby ordered to be annexed to the Waterway Maintenance District.

2. The area to be annexed is all of Tract No. 4132-1 in the County of Ventura, State of California, as per map recorded in Book 108, page 37 of Miscellaneous Records of said County, described as follows:

Beginning at a point in the northeasterly line of the Edison Canal (Mandalay Canal), 300 feet wide, as shown on said map, at the corner common to Lot 1 of said Tract No. 4132-1 and Lot 124, Tract 2026-1 as per map recorded in Book 55, Page 79, Miscellaneous Records of said County, said point also being the southeasterly terminus of the 25th course of the Waterways Maintenance District as filed in the City of Oxnard as Resolution 6830 on October 26, 1976; thence along the boundary line of said Tract No. 4132-1 by the following 41 courses,

1st: North 27° 47' 35" West, along said northeasterly line of the Edison Canal and said 25th course, 1397.91 feet to the northwesterly corner of said Tract No. 4132-1; thence,

2nd: South 88° 46' 48" East, 1474.58 feet to the northeasterly corner of said tract; thence,

3rd: South 27° 12' 52" West, 123.49 feet; thence,

4th: North 43° 46' 48" West, 117.50 feet; thence,

5th: North 88° 46' 48" West, 93.95 feet; thence,

6th: South 46° 13' 12" West, 97.09 feet; thence,

7th: South 1° 13' 12" West, 31.93 feet; thence,

8th: South 27° 12' 52" West, 95.70 feet; thence,

9th: South 17° 47' 08" East, 131.14 feet; thence,

10th: South 36° 00' 00" West, 96.22 feet; thence,

11th: South 9° 00' 00" East, 69.30 feet; thence,

12th: North 88° 46' 48" West, 139.30 feet; thence,

13th: North 27° 47' 35" West, 211.26 feet; thence,

Resolution No. 9310

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14th: North 17° 12' 25" East, 28.28 feet; thence,
15th: North 27° 47' 35" West, 93.95 feet; thence,
16th: North 72° 47' 35" West, 118.47 feet; thence,
17th: North 88° 46' 48" West, 484.54 feet; thence,
18th: South 46° 13' 12" West, 93.95 feet; thence,
19th: South 1° 13' 12" West, 83.62 feet; thence,
20th: South 27° 47' 35" East 165.76 feet; thence,
21st: South 72° 47' 35" East, 93.95 feet; thence,
22nd: North 62° 12' 25" East, 264.03 feet; thence,
23rd: North 17° 12' 25" East, 51.44 feet; thence,
24th: North 22° 11' 19" West, 27.29 feet; thence,
25th: North 1° 13' 12" East, 30.00 feet, radially to the beginning of a
non-tangent curve concave southwesterly having a radius of 225.00 feet; thence,
26th: Southeasterly along said curve through a central angle of 60° 59' 13" an
arc distance of 239.50 feet; thence
27th: South 27° 47' 35" East, 242.41 feet to the beginning of a tangent curve
concave northeasterly having a radius of 30.00 feet; thence,
28th: Southeasterly along said curve through a central angle of 58° 39' 19" an
arc distance of 30.71 feet; thence,
29th: South 86° 26' 54" East, 95.30 feet to the beginning of a tangent curve
concave southwesterly having a radius of 123.59 feet; thence,
30th: Southeasterly along said curve through a central angle of 23° 39' 46" an
arc distance of 51.04 feet; thence,
31st: South 62° 47' 08" East, 18.18 feet to the beginning of a tangent curve
concave northwesterly having a radius of 25.00 feet; thence,
32nd: Northeasterly along said curve through a central angle of 90° 00' 00" an
arc distance of 39.27 feet; thence,
33rd: North 27° 12' 52" East, 116.00 feet; thence,

Resolution No. 9310

Page 4

34th: South $62^{\circ} 47' 08''$ East, 48.00 feet to a point on the southeasterly boundary of said Tract No. 4132-1; thence along said southeasterly boundary by the following two courses,

35th: South $27^{\circ} 12' 52''$ West, 611.82 feet; thence,

36th: South $17^{\circ} 05' 45''$ East 111.44 feet, radially to the northerly line of West Hemlock Street, 52 feet wide, said point also being on a non-tangent curve concave southeasterly having a radius of 544.07 feet; thence along said northerly line of West Hemlock Street by the following three courses,

37th: Southwesterly along said curve through a central angle of $10^{\circ} 41' 27''$ an arc distance of 101.52 feet to the easterly terminus of the 29th course of said Waterways Maintenance District; thence along said existing Waterways Maintenance District by the following four courses,

38th: South $62^{\circ} 12' 48''$ West, 5.63 feet to the beginning of a tangent curve concave southeasterly having a radius of 84.00 feet; thence,

39th: Southwesterly along said curve through a central angle of $34^{\circ} 06' 19''$ an arc distance of 50.00 feet, to a point at the corner common to said Lot 1 and Lot 124; thence along said common line of said lots by the following two courses,

40th: North $27^{\circ} 47' 11''$ West, 114.45 feet; thence,

41st: South $62^{\circ} 12' 49''$ West, 139.92 feet to the point of beginning.

3. The Council finds that the territory to be annexed will be benefited by annexation.

4. All protests and objections to the annexation are overruled. Protests and objections were not received from the owners of more than one-half of the area annexed nor from the owners of more than one-half of the area of the existing District.

5. The District is hereby ordered to be divided into assessment zones, referred to as zone 1 being the existing Waterway Maintenance District less the portion of the Edison Canal adjacent to Mandalay Bay Phase IV, Tract 4132-1, extending from the boundary of Tract 4132-1 150 feet to the center line of the Edison Canal, and Zone 2 being Mandalay Bay Phase IV, Tract 4132-1, plus the said portion of the Edison Canal adjacent to Tract 4132-1, as shown in the map attached as Exhibit A.

Resolution No. 9310

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6. The purpose of the annexation is to enable the existing District and the property annexed to share in the costs of maintaining improvements such as waterways which are of common benefit to all property in the District.

7. The purpose of establishing zones is to enable each area of the District to pay the costs of maintaining improvements such as bulkheads and riprap which are of benefit only to the property in the particular zone in which such improvements are located.

8. The costs of maintaining the common improvements and the improvements relating to each zone shall be determined and assessed pursuant to section 5830 of the Streets and Highways Code.

APPROVED AND ADOPTED this 13 day of October, 1987, by the following vote:


AYES: Council Members: Plisky, Takasugi, Johs, Lopez, Maron.

NOES: Council Members: None.

ABSENT: Council Members: None.

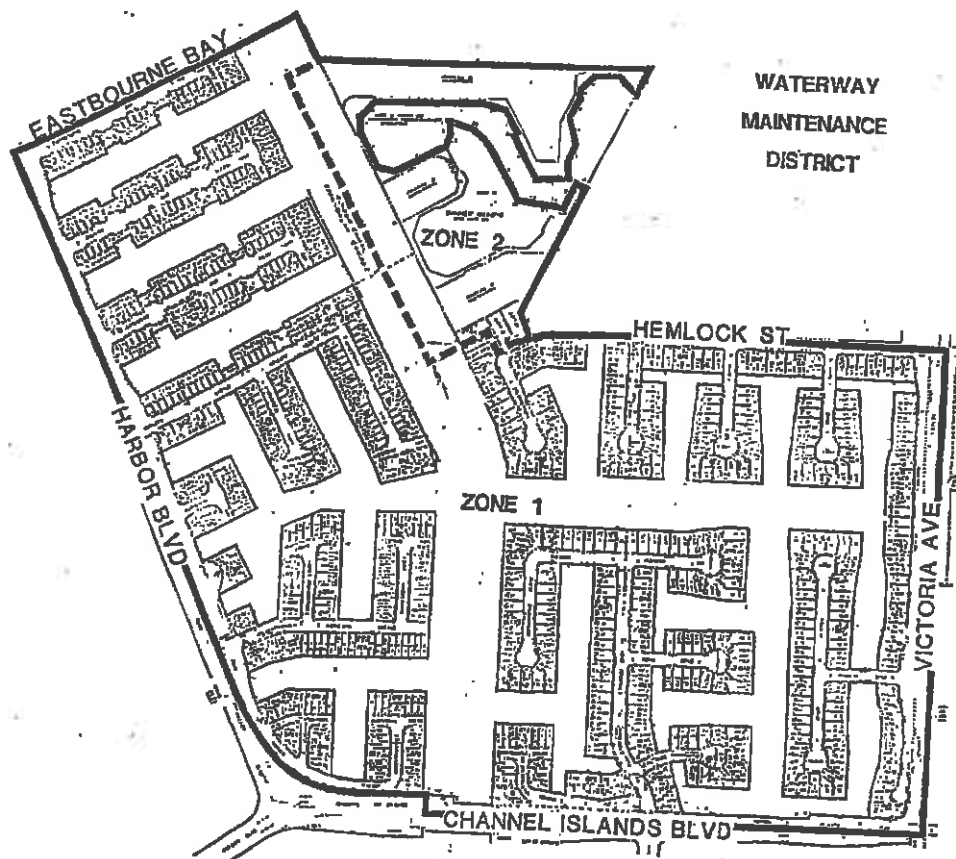

Nao Takasugi, Mayor

ATTEST:


Mabi Plisky, City Clerk

APPROVED AS TO FORM:


K. D. Lyders, City Attorney



WATERWAY
MAINTENANCE
DISTRICT

Exhibit A

STATEMENT OF THE CREATION OF MANDALAY BAY,
PHASE IV, MAINTENANCE ASSESSMENT DISTRICT

The City Council of the City of Oxnard, pursuant to sections 54900 et seq. of the Government Code, hereby states that it has annexed properties in Mandalay Bay Phase IV, Tract 4132-1 and has divided the district into assessment zones pursuant to division 7, part 3, chapter 26, of the Streets and Highways Code (sections 5820 et seq.). Included herewith are the following:

A certified copy of Resolution No. 9310 ordering the annexation and division into assessment zones. Attached to such Resolution is the following exhibit:


Exhibit A: A map or plan indicating the boundaries of the assessment zones referred to as Zone 1 and Zone 2.

The property in the district will not by reason of inclusion in the district be taxed for any existing bonded indebtedness or contractual obligations.

Pursuant to Sections 54902 and 57204 of the Government Code, this statement shall be filed by the City Clerk on or before January 1, 1988 with the Ventura County Assessor, State Board of Equalization and County Auditor.

APPROVED AND ADOPTED this 13th day of October, 1987, by the following vote:

AYES: Council Members: Plisky, Takasugi, Maron, Lopez and Johs.
NOES: Council Members: None.
ABSENT: Council Members: None.


Nao Takasugi, Mayor

ATTEST:


Mabi Plisky, City Clerk

APPROVED AS TO FORM:


R. B. Lyders, City Attorney



CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 9897

RESOLUTION APPROVING FINAL ACCOUNTING
AND COMPLETION OF MANDALAY BAY SETTLEMENT

WHEREAS, pursuant to the Judgment filed November 7, 1980, in the class action titled Ted F. Flesher, et al. vs. City of Oxnard, Ventura Superior Court Nos. 58889, 59304, and 60530, the City of Oxnard has administered the settlement fund for the purposes set forth in the Judgment; and

WHEREAS, on March 20, 1990, the balance of the settlement funds remaining in the trust account were allocated effective April 2, 1990, to a project for further seawall and slope repairs, thereby exhausting the settlement fund; and

WHEREAS, pursuant to paragraph 17 of the Judgment, upon exhaustion of the settlement fund the City is required to record a Notice of Completion and present a final accounting to the Superior Court;

NOW, THEREFORE, the City Council of the City of Oxnard resolves and orders as follows:

1. The City Attorney shall cause to be recorded a Notice of Completion in the form attached hereto.

2. Within seven days after such recordation, the City Clerk shall publish once a Notice of Recordation in the form attached hereto in the Oxnard Press Courier. The City Attorney shall serve such Notice by mail upon the attorneys for all parties to the class action, and mail such Notice to all persons

1 who have filed claims with the City Clerk pursuant to paragraph
2 14 of such Judgment.

3 3. The FINAL ACCOUNTING BY CITY OF OXNARD in the form
4 attached hereto is approved. The City Attorney shall present
5 such accounting to the Superior Court on April 12, 1990, or such
6 other time within the limits specified in the Judgment as may be
7 appropriate.

8 Passed and adopted this 20th day of March, 1990, by the
9 following vote:

10 AYES: Johs, Lopez, Maron and Takasugi

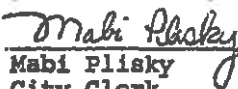
11 NOES: None

12 ABSENT: None

13 ABSTENTIONS: Furr

14 
Nao Takasugi
Mayor

15 ATTEST:

16 
17 Mabi Plisky
18 City Clerk

19 APPROVED AS TO FORM:

20  3-14-90
21 Gary I. Gillig
22 City Attorney
23
24
25
26
27
28

1 LAWLER, BONHAM & WALSH
 2 Attorneys at Law
 3 300 Esplanade Drive, Suite 1900
 4 Post Office Box 5527
 5 Oxnard, California 93031-5527
 6 Telephone: (805) 485-8921
 7 FAX: (805) 485-3766

8 Attorney for Defendant,
 9 City of Oxnard

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF VENTURA

TED F. FLESHER, et al.

Plaintiff

vs.

CITY OF OXNARD, et al.

Defendants

CASE NOS. 58889
 59304
 60530

NOTICE OF COMPLETION

AND CONSOLIDATED ACTIONS

AND ALL RELATED CROSS ACTIONS

TO ALL PERSONS INTERESTED IN THE SETTLEMENT OF THE ABOVE-
 DESCRIBED CLASS ACTION:

Pursuant to paragraph 17 of the JUDGMENT APPROVING
 SETTLEMENT OF CLASS ACTION, filed on November 7, 1980, and
 recorded on November 19, 1980, book 5778, page 921, NOTICE IS
 HEREBY GIVEN that the settlement fund has been exhausted,
 thereby requiring that this NOTICE OF COMPLETION be recorded. On

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Attachment No. 6
 Page 1 of 2

or about April 17, 1990, the City of Oxnard will present to the Court its final accounting regarding the manner in which the rehabilitation and repair contemplated by the judgment has been carried out and the settlement fund disbursed.

Dated: March 22, 1990

LAWLER, BONHAM & WALSH

By: 

K. D. Lyders, Esq.
Attorney for Defendants,
CITY OF OXNARD

NOTICE OF RECORDATION

TO ALL PERSONS INTERESTED IN THE SETTLEMENT OF THE
CLASS ACTION TITLED TED F. FLESHER, et al. vs. CITY OF OXNARD,
et al., Ventura Superior Court Nos. 58889, 59304, and 60530:

NOTICE IS HEREBY GIVEN that a Notice of Completion was
recorded in the office of the Ventura County Recorder on March
22, 1990, pursuant to paragraph 17 of the Judgment specifying
that the settlement fund has been exhausted.

On Tuesday, April 17, 1990, at 3:30 p.m., in
Department 31 of the Ventura Superior Court, located at 800
South Victoria Avenue, Ventura, California, the City of Oxnard
will appear to present its final accounting for approval,
regarding the manner in which the rehabilitation and repair
contemplated by the Judgment has been carried out and the
settlement fund disbursed.

Dated: March 22, 1990.

LAWLER, BONHAM & WALSH

By: 

K. W. Lyders

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 10,559RESOLUTION OF INTENTION TO ANNEX TERRITORY
TO EXISTING WATERWAY MAINTENANCE DISTRICT
AND TO CHANGE BOUNDARIES OF ZONE 2

WHEREAS, the Mandalay Bay Waterway Maintenance District ("the District") was created by City Council Resolution No. 5144, adopted on June 16, 1970, for the purpose of operating and maintaining waterway, parking and landscaping improvements within the District; and,

WHEREAS, the District is divided into Zone 1 and Zone 2;

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. The intention of the City Council of the City of Oxnard is to order the annexation of territory in Tract Nos. 4132-2 and 4132-3 to the existing District, as described in Resolution No. 5144, adopted on June 16, 1970, and Zone 2 thereof, as described in Resolution No. 9310, adopted on October 13, 1987, for the purpose of sharing the costs of maintaining and operating the various public improvements within the District and Zone 2, including waterways, parking and landscaping. Further, the intention of the City Council is to change the boundaries of Zone 2 to include the territory to be annexed.

2. A map of the territory to be annexed is shown on Exhibit A. The territory to be annexed is described in Exhibit B. Exhibits A and B are attached hereto and incorporated herein by reference.

3. The current boundaries of Zone 1 and Zone 2 of the District are as described in Resolution No. 9310. After the annexation of Tract Nos. 4132-2 and 4132-3, and the boundaries of Zone 2 shall include Tract Nos. 4132-2 and 4132-3, and the boundaries of Zone 1 and Zone 2 shall be as shown on the map labeled Exhibit C and as described in Exhibit D. Exhibits C and D are attached hereto and incorporated herein by reference.

4. The annexation of said territory to the District and to Zone 2 will benefit said territory.

5. The City Council proposes that the appropriate portion of the cost of operating and maintaining the improvements within the District that are of common benefit to all property in the District be assessed upon said territory, together with the cost of operating and maintaining improvements relating to Zone 2 of the District. Zone 1 has seawalls, while Zone 2 has riprap. Zone 2 has more landscaping than does Zone 1. Thus, each zone requires special services or special facilities in addition to those provided in the other zone.

Therefore, the City Council finds that the tax levy in each zone is commensurate with the special benefits to be provided in each zone.

6. After annexation, the City Council shall each year estimate the cost of operating and maintaining the improvements within the District during the ensuing year. The City Council shall decide whether such cost shall be borne wholly or partially by the District and each zone therein, and shall, in addition to all other taxes and assessments, fix a special assessment tax rate for the real property within the District sufficient to raise an amount of money to cover the cost of operation and maintenance during the ensuing year, or such portion of such amount as the City Council determines shall be borne by the District. The City Council shall levy a special assessment tax each year upon the real property in the District, according to the location of the property in Zone 1 or Zone 2, sufficient to pay such expense or the portion thereof that must be paid by the District.

7. The special assessment tax shall be levied and collected in a manner provided by law at the same time and in the same manner as the general tax levied by the County of Ventura. Money collected shall be paid into the City treasury to the credit of the fund of the District.

8. Notice is hereby given that on June 15, 1993, at 7:00 p.m., in the Council Chambers of the City of Oxnard, any and all persons having any objection to the ordering of the annexation of the territory described herein to the existing District and Zone 2 thereof or to the change in boundaries proposed for Zone 2 may appear before the City Council and show cause why the territory should not be so annexed or the boundaries of Zone 2 changed to the extent described herein. Objections to the inclusion of any property within the proposed annexation or change of boundaries must be in writing.

9. The City Clerk is instructed to give notice by mail of the time, place and purpose of the hearing to each owner whose name and address appears on the last equalized assessment roll and who owns real property within the boundaries of the territory sought to be annexed. The notice shall contain the name and telephone number of the Public Works Department of the City of Oxnard, where inquiries regarding the hearing proceedings shall be answered.

10. The City Clerk is instructed to post notices of the hearing in three conspicuous places within the territory proposed to be annexed. The notices shall be headed "Notice of Hearing" in letters not less than one inch in height and shall contain a statement of the time and place of the hearing, a diagram of the territory proposed to be annexed, as shown on Exhibit A, and a map showing the proposed boundaries of Zone 1 and Zone 2, as shown in Exhibit C.

Resolution No. 10,559

Page 5

The notice shall be posted not less than 10 days prior to the date set for the hearing.

11. The City Clerk is instructed to file, upon completion of the mailing and posting, an affidavit setting forth the time and manner thereof, as required by section 5838 of the Streets and Highways Code.

Passed and adopted this 18th day of May 1993, by the following vote:

AYES: Councilmembers Pinkard, Plisky, Herrera, Holden & Lopez.

NOES: None.

ABSENT: None.

Dr. Manuel M. Lopez
Dr. Manuel M. Lopez, Mayor

ATTEST:

Daniel Martinez
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Gary L. Gilling 5-18-93
Gary L. Gilling, City Attorney

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 10,593

RESOLUTION ORDERING ANNEXATION OF TRACT NOS. 4132-2 and 4132-3 TO
WATERWAY MAINTENANCE DISTRICT AND CHANGE OF BOUNDARIES OF ZONE 2 THEREOF

WHEREAS, by Resolution No. 5144 the City Council established the
Mandalay Bay Waterway Maintenance District ("the District"); and,

WHEREAS, by Resolution No. 6587 the City Council annexed Tract No.
2026-2 to the District; and,

WHEREAS, by Resolution No. 6830 the City Council annexed Tract No.
2026-3 to the District; and,

WHEREAS, by Resolution No. 9310 the City Council annexed Tract No.
4132-1 to the District and divided the District into Zone 1 and Zone 2;
and,

WHEREAS, by Resolution No. 10,559, adopted on May 18, 1993, the City
Council declared its intention to order the annexation of Tract Nos. 4132-2
and 4132-3 to the District and to change the boundaries of Zone 2 to
include Tract Nos. 4132-2 and 4132-2; and,

WHEREAS, after notice having been given as required by law, a public
hearing was held on June 22, 1993, for the purpose of hearing and passing
on objections to the inclusion of any property within the proposed
annexation of Tract Nos. 4132-2 and 4132-2 and the change of boundaries of
Zone 2;

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. All objections to the annexation and change of boundaries are
overruled.

2. The City Council finds that the territory to be annexed to the
District and Zone 2 will be benefited by annexation.

3. Zone 1 has seawalls, while Zone 2 has riprap. Zone 2 has more
landscaping than does Zone 1. Thus, each zone requires special services or
special facilities in addition to those provided in the other zone.
Therefore, the City Council finds that the tax levy in each zone is
commensurate with the special benefits to be provided in each zone.

4. The territory within Tract Nos. 4132-2 and 4132-3 is hereby
ordered to be annexed to the District and Zone 2 thereof. A map of the
territory is attached as Exhibit A, and a description of the territory is
attached as Exhibit B. Exhibits A and B are incorporated herein by
reference.

5. The boundaries of Zone 2 of the District are changed to include the territory within Tract Nos. 4132-2 and 4132-2. The boundaries of Zone 1 and Zone 2, as so changed, are shown on the map labeled Exhibit C and described in Exhibit D. Exhibits C and D are attached hereto and incorporated herein by reference.

6. The purpose of the annexation is to enable the District and the property annexed thereto to share the cost of operating and maintaining improvements that are of common benefit to all property in the District and the cost of operating and maintaining the improvements that are of special benefit to Zone 2.

6. The cost of operating and maintaining the improvements of common benefit and the improvements of special benefit to each zone shall be determined and a special assessment tax to pay such cost shall be levied, according to the location of the property in Zone 1 or Zone 2, pursuant to section 5830 of the Streets and Highways Code.

7. The special assessment tax shall be levied and collected in a manner provided by law at the same time and in the same manner as the general tax levied by the County of Ventura. Money collected shall be paid into the City treasury to the credit of the fund of the District.

PASSED AND ADOPTED this 22nd day of June, 1993,
by the following vote:

AYES: Councilmembers Holden, Lopez, Pinkard, Plisky & Herrera.

NOES: None.

ABSENT: None.

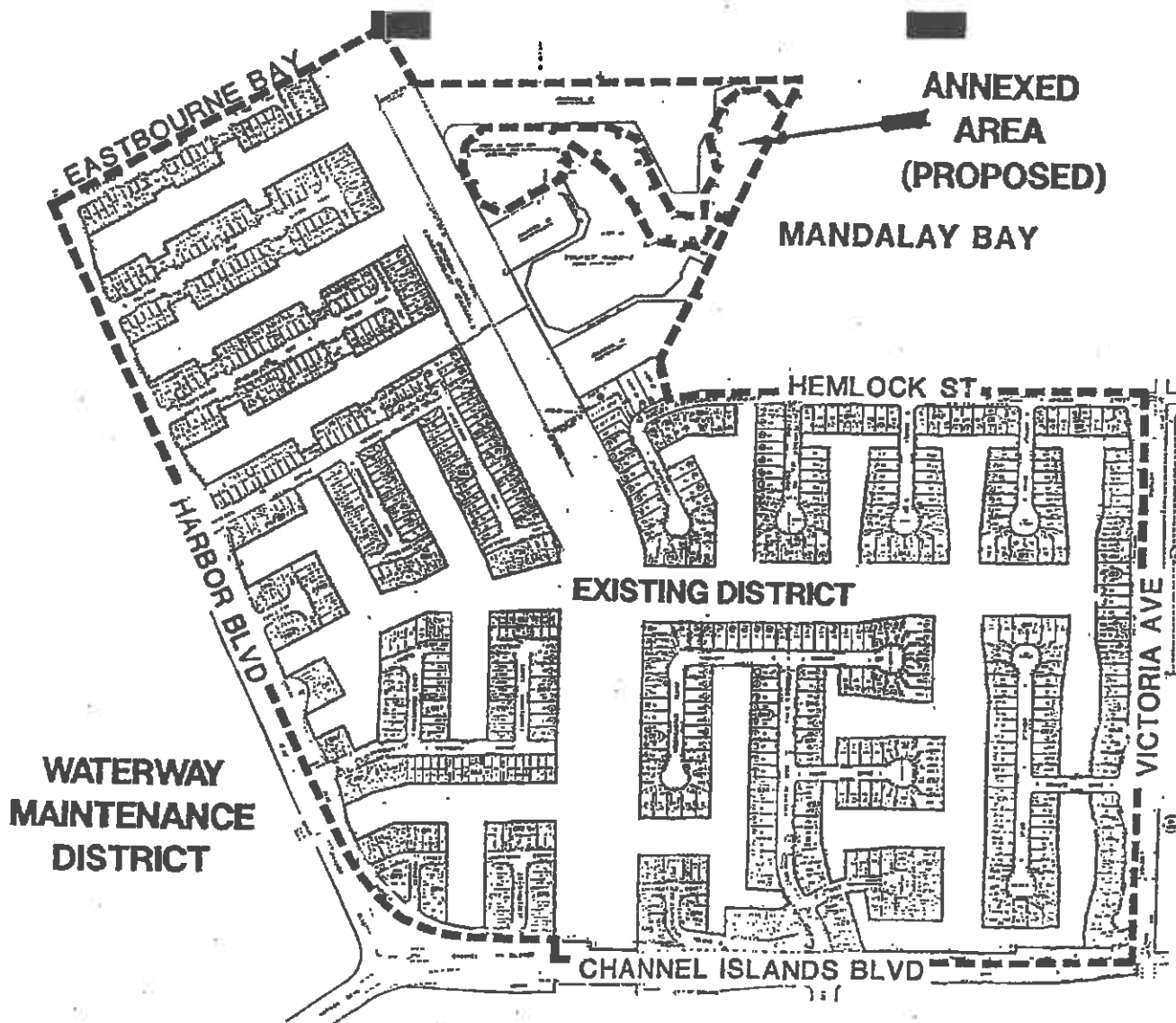
Dr. Manuel M. Lopez 6.22.93
Dr. Manuel M. Lopez, Mayor

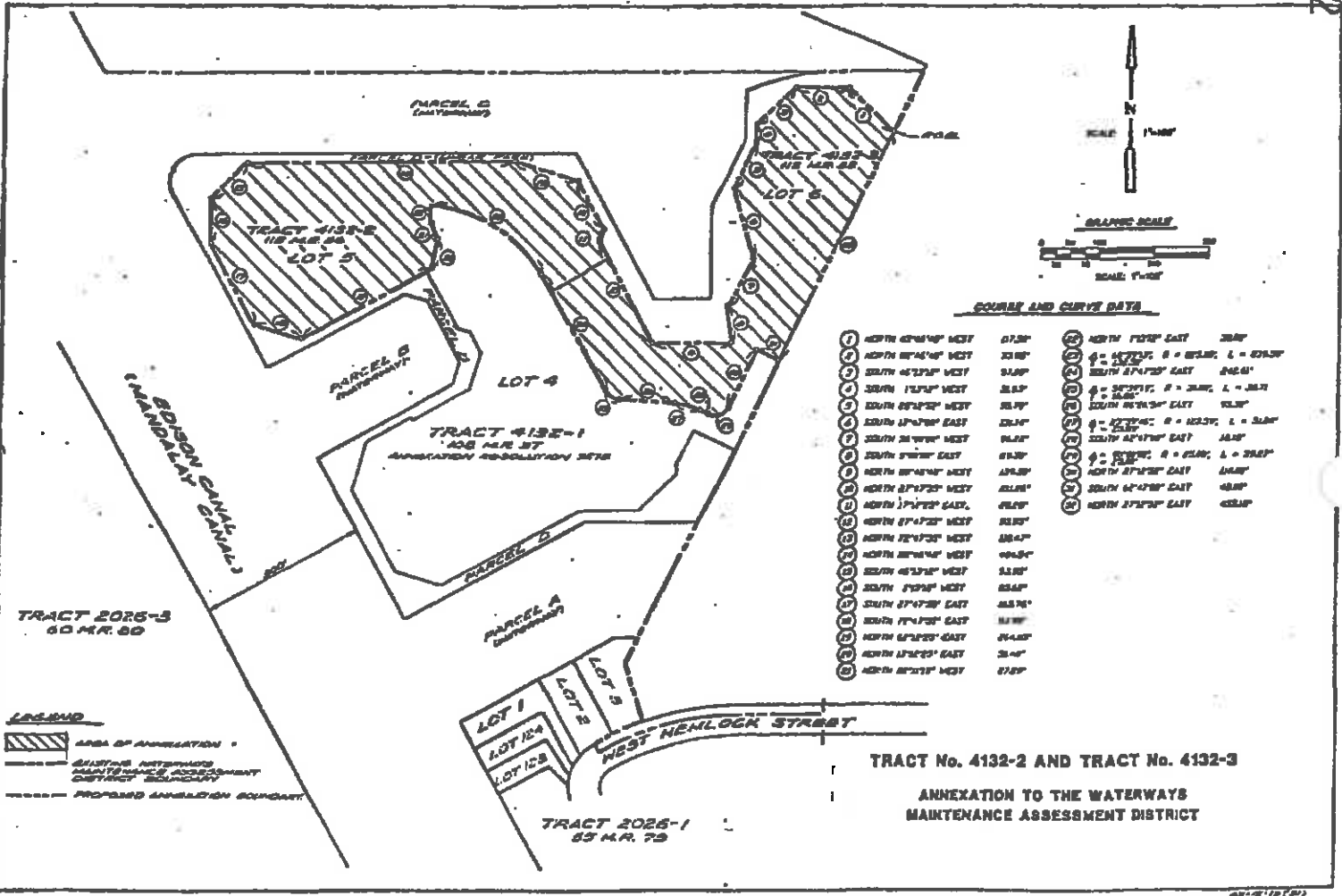
ATTEST:

Linda Lawrence
for Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Paula Kimbrell for
Gary L. Gillig, City Attorney
6/3/93





TRACT NO. 4132-2 and 4132-3
ANNEXATION TO THE WATERWAYS
MAINTENANCE ASSESSMENT DISTRICT

Being all of Tract No. 4132-2 and 4132-3 in the County of Ventura, State of California, as per maps recorded, respectively, in Book 113, Page 56 and Book 115, Page 32 of Miscellaneous Records of said County, described as follows:

Beginning at the northeasterly corner of said Tract 4132-3, said point also being the southerly terminus of the 3rd course of the Tract 4132-1 Annexation to the Waterways Maintenance Assessment District as filed in the City of Oxnard as resolution 9272 on August 25, 1987; thence along the boundary of said Tracts 4132-3 and 4132-2 by the following 32 courses and said district boundary by the following 31 courses,

- 1st: North 43° 46' 48" West, 117.50 feet; thence,
- 2nd: North 88° 46' 48" West, 93.95 feet; thence,
- 3rd: South 46° 13' 12" West, 97.09 feet; thence,
- 4th: South 1° 13' 12" West, 31.93 feet; thence,
- 5th: South 27° 12' 52" West, 95.70 feet; thence,
- 6th: South 17° 47' 08" East, 131.14 feet; thence,
- 7th: South 36° 00' 00" West, 96.22 feet; thence,
- 8th: South 9° 00' 00" East, 69.30 feet; thence,
- 9th: North 88° 46' 48" West, 139.30 feet; thence,
- 10th: North 27° 47' 35" West, 211.26 feet; thence,
- 11th: North 17° 12' 25" East, 28.28 feet; thence,
- 12th: North 27° 47' 35" West, 93.95 feet; thence,
- 13th: North 72° 47' 35" West, 118.47 feet; thence,
- 14th: North 88° 46' 48" West, 484.54 feet; thence,
- 15th: South 46° 13' 12" West, 93.95 feet; thence,
- 16th: South 1° 13' 12" West, 83.62 feet; thence,
- 17th: South 27° 47' 35" East, 165.76 feet; thence,

18th: South 72° 47' 35" East, 93.95 feet; thence,

19th: North 62° 12' 25" East, 264.03 feet; thence,

20th: North 17° 12' 25" East, 51.44 feet; thence,

21st: North 22° 11' 19" West, 27.29 feet; thence,

22nd: North 1° 13' 12" East, 30.00 feet, radially to the beginning of a non-tangent curve concave southwesterly having a radius of 225.00 feet; thence,

23rd: Southeasterly along said curve through a central angle of 60° 59' 13" an arc distance of 239.50 feet; thence,

24th: South 27° 47' 35" East, 242.41 feet to the beginning a tangent curve concave northeasterly having a radius of 30.00 feet; thence,

25th: Southeasterly along said curve through a central angle of 58° 39' 19" an arc distance of 30.71 feet; thence,

26th: South 86° 26' 54" East 95.30 feet to the beginning of a tangent curve concave southwesterly having a radius of 123.59 feet; thence,

27th: Southeasterly along said curve through a central angle of 23° 39' 46" an arc distance of 51.04 feet; thence,

28th: South 62° 47' 08" East, 18.18 feet to the beginning of a tangent curve concave northwesterly having a radius of 25.00 feet; thence,

29th: Northeasterly along said curve through a central angle of 90° 00' 00" an arc distance of 39.27 feet; thence,

30th: North 27° 12' 52" East, 116.00 feet; thence,

31st: South 62° 47' 08" East, 48.00 feet to the southeasterly corner of said Tract 4132-3; thence,

32nd: North 27° 12' 52" East, along the southeasterly boundary of said Tract 4132-3, 455.18 feet to the point of beginning.

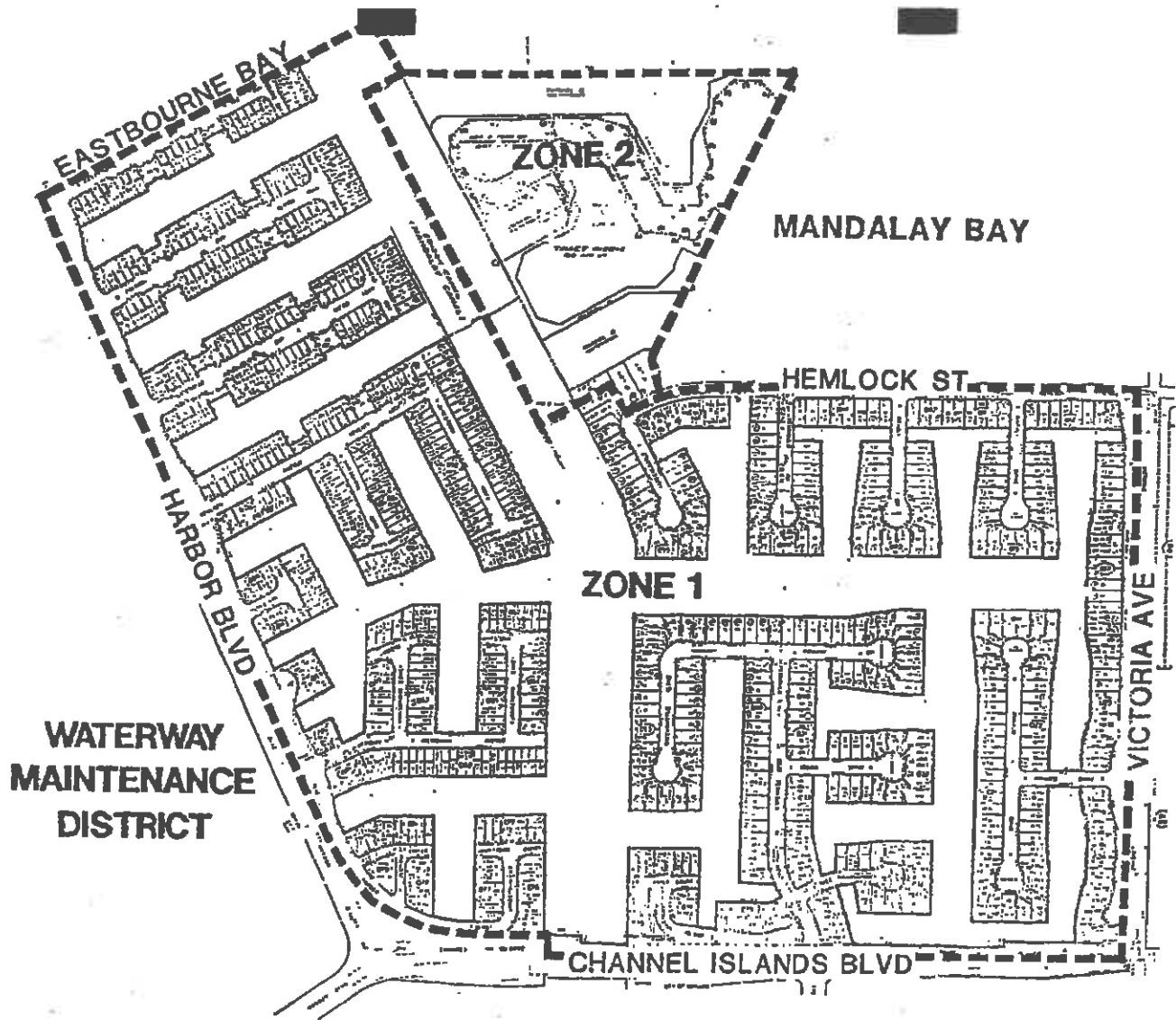


EXHIBIT D

Assessment Zone 2 consists of Tract 4132-1 described in Resolution No. 9310, plus Tracts 4132-2 and 4132-3 described in EXHIBIT B herein, plus the portion of the Edison Canal adjacent to Tract 4132-1, extending from the boundary of Tract 4132-1 150 feet to the centerline of the Edison Canal.

Assessment Zone 1 consists of the portion of the district not in Zone 2.

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 10,594

RESOLUTION ADOPTING STATEMENT OF ANNEXATION TO WATERWAY MAINTENANCE DISTRICT AND CHANGE OF BOUNDARIES OF ZONE 2 THEREOF

The City Council of the City of Oxnard resolves:

Pursuant to section 54900 et seq. of the Government Code, the City Council of the City of Oxnard states that it has annexed Tract Nos. 41322 and 4132-3 to the Mandalay Bay Waterway Maintenance District ("the District") and changed the boundaries of Zone 2 thereof, as authorized by Division 7, Part 3, Chapter 26 of the Streets and Highways Code (section 5820 et seq.). Included herewith are the following:

A certified copy of Resolution No. 10,593, ordering the annexation and change of boundaries. Attached to Resolution No. 10,593 are:

Exhibit A: A map or plat indicating the boundaries of the territory annexed.

Exhibit B: A legal description of the territory annexed.

Exhibit C: A map or plat of Zone 1 and Zone 2 of the District.

Exhibit D: A legal description of Zone 1 and Zone 2 of the District.

The property annexed to the District will not by reason of the annexation be taxed for any existing bonded indebtedness or contractual obligations of the District.

Pursuant to sections 54902 and 54904 of the Government Code, the City Clerk shall file this statement on or before January 1, 1994 with the Ventura County Assessor, the Ventura County Auditor and the State Board of Equalization.

PASSED AND ADOPTED this 22nd day of June, 1993, by the following vote:

AYES: Councilmembers Holden, Lopez, Pinkard, Plisky & Herrera.

NOES: None.

ABSENT: None.

Dr. Manuel M. Lopez, Mayor 6.22.93

APPROVED AS TO FORM:

ATTEST:

Daniel Martinez
Daniel Martinez, City Clerk

Paula Kimball for
Gary L. Gillig, City Attorney 6/3/93



CITY COUNCIL OF THE CITY OF OXNARD

Resolution No. 10,623

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PLANNING & ZONING PERMIT NO. 93-5-20 FOR CONSTRUCTION OF A SOUND WALL WITHIN THE EXISTING PARKWAY PROPERTY LOCATED ALONG THE WEST SIDE OF VICTORIA AVENUE BETWEEN CHANNEL ISLANDS BOULEVARD AND HEMLOCK STREET, SUBJECT TO CERTAIN CONDITIONS. FILED BY ED GRIPP

WHEREAS, the City Council has reviewed Planning & Zoning Permit No. 93-5-20, the staff report and recommendation of approval, subject to certain conditions, for the construction of a sound wall on property located within the existing parkway on the west side of Victoria Avenue between Channel Islands Boulevard and Hemlock Street, filed by Ed Gripp; and

WHEREAS, the project is categorically exempt, as defined in Section 15300 of Title 14 of the California Code of Regulations, and does not require adoption of an environmental impact report or negative declaration, as provided by the California Environmental Quality Act; and

WHEREAS, Victoria Avenue is a designated truck route in the 2020 General Plan; and

WHEREAS, the property owners affected wish to construct the sound wall at their own expense which will serve to reduce the noise generated by truck traffic along Victoria Avenue; and

WHEREAS, by Resolution No. 5144 the City Council established the Waterway Maintenance District in accordance with its Resolution of Intention No. 5121; and

WHEREAS, the sound wall will be offered for dedication to the City of Oxnard and proposed for inclusion in Zone One of the Waterway Maintenance District.

NOW, THEREFORE, the City Council of the City of Oxnard finds that construction of the proposed sound wall is in conformance with the General Plan and other adopted policies of the City of Oxnard and will serve a public purpose by decreasing traffic noise and increasing public safety by interposing a barrier between a busy public street and a residential area. The City Council further finds that the applicant agrees with the necessity of and accepts all elements, requirements and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for and fostering the health, safety and welfare of the citizenry in general and the persons who work, visit or live in the area of the sound wall in particular.

NOW, THEREFORE, the City Council of the City of Oxnard resolves that construction of the sound wall is approved, subject to the following conditions:

1. Applicant shall obtain a building permit and an encroachment permit to construct the sound wall within the parkway on the west side of Victoria Avenue between Channel Islands Boulevard and Hemlock Street at the sole expense of applicant and in accordance with Exhibits 1 and 2, attached hereto and incorporated herein by this reference.
2. Applicant irrevocably offers to dedicate the sound wall to the City.

3. Applicant shall not begin construction of the sound wall unless and until the City Council orders that the cost of maintaining and operating the sound wall be borne by Zone One of the Waterway Maintenance District.

4. This resolution shall become null and void within 24 months from the date of its adoption unless construction of the proposed sound wall has been diligently pursued. The issuance of a grading or building permit shall be a minimum requirement for evidence of diligent pursuit.

5. Applicant agrees, as a condition of approval of this resolution and at applicant's own expense, to indemnify and defend the City and its agents, officers and employees from and against any claim, action or proceeding to attack, set aside, void or annul the approval of this resolution or any of the proceedings, acts or determinations taken, done or made prior to the approval of such resolution which were part of the approval process.

6. Prior to issuance of a building permit, a reproduction of all conditions of this resolution shall be made part of, and incorporated into all sets of the construction documents and specifications for this project.

7. Prior to issuance of a building permit, applicant shall enter into an improvement agreement with the City and post security satisfactory to the City Manager or designee, guaranteeing the installation and construction of the sound wall in accordance with the building permit. The Developer shall also provide proof of \$500,000 in general liability insurance with the City of Oxnard listed as an additional insured.

Passed and adopted this 17th day of August, 1993, by the following vote:

AYES:	Council Members:	Plisky, Herrera, Holden, Lopez, & Pinkard
NOES:	Council Members:	None.
ABSENT:	Council Members:	None.

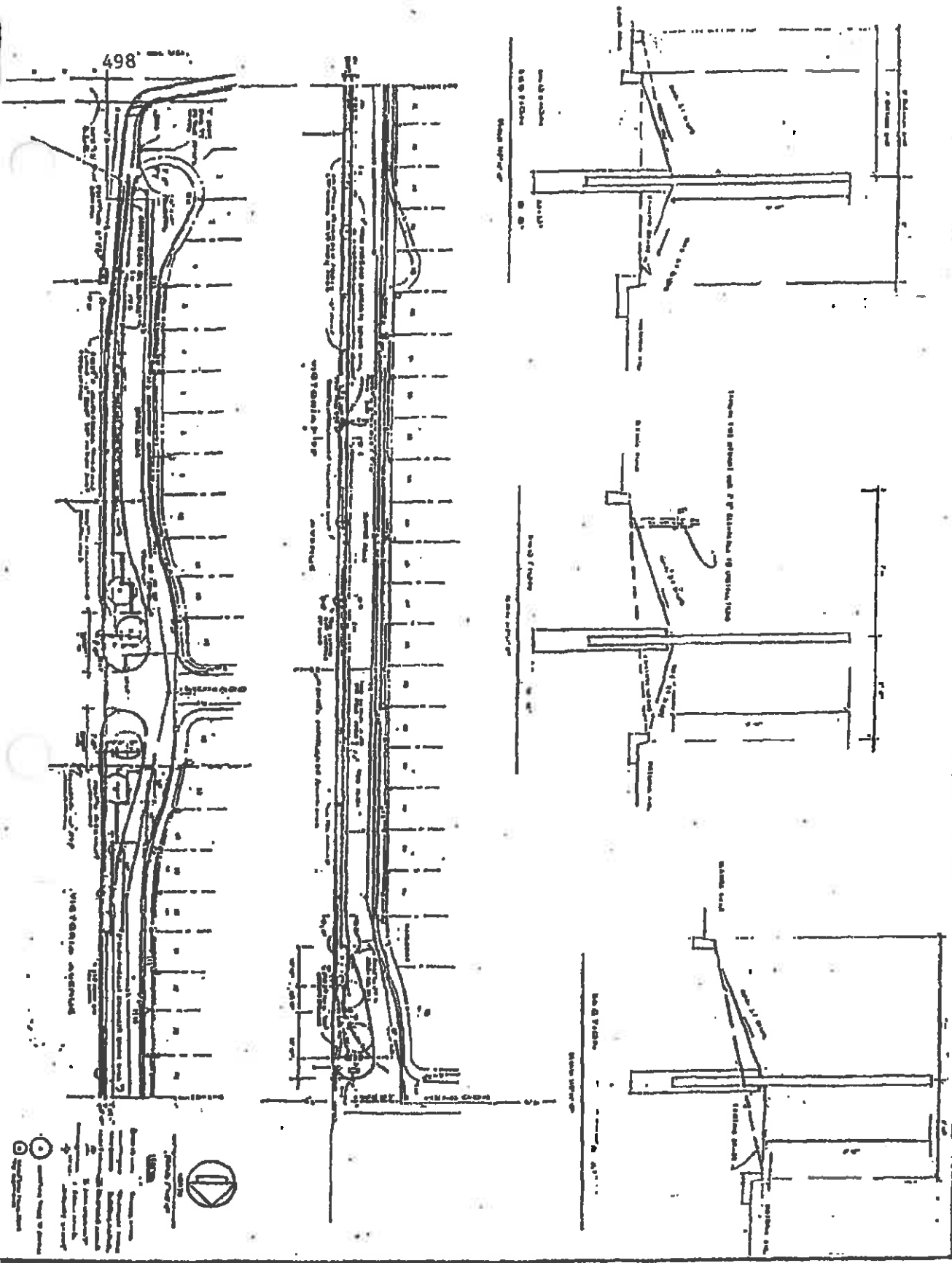

 Dr. Manuel M. Lopez, Mayor

ATTEST:


 Daniel Martinez, City Clerk

APPROVED AS TO FORM:


 Gary L. Gillig, City Attorney 8/4/93



PLAN AND SECTIONS
VICTORIA AVE. BRIDGE

UNIVERSITY
OF CALIFORNIA
ARCHITECTURAL
DIVISION
SAN FRANCISCO
CALIFORNIA



CITY COUNCIL OF THE CITY OF OXNARD**Resolution No. 10,624****RESOLUTION OF INTENTION TO INCLUDE MAINTENANCE OF
SOUND WALL IN ZONE ONE OF WATERWAY MAINTENANCE
DISTRICT**

WHEREAS, the Waterway Maintenance District ("the District") was created by City Council Resolution No. 5144, adopted on June 16, 1970, for the purpose of operating and maintaining waterway, parking and landscaping improvements within the District; and

WHEREAS, the District is divided into Zone 1 and Zone 2; and

WHEREAS, a sound wall will be constructed in the parkway on Victoria Avenue between Channel Islands Boulevard and Hemlock Street, on the eastern boundary of the District, which parkway is now maintained by Zone 1 of the District; and

WHEREAS, the sound wall will benefit property within Zone 1 of the District; and

WHEREAS, Streets and Highways Code section 5842 allows the City Council to make the expense of maintaining the sound wall a charge on the District by adopting a resolution of intention and order to that effect;

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. The intention of the City Council of the City of Oxnard is that Zone 1 of the District bear the cost of maintaining and operating the sound wall, including the cost of maintenance, repair, graffiti removal and landscaping.
2. The estimated annual cost of such maintenance and operation is \$2000.00.
3. A diagram of the proposed sound wall and its location is shown on Exhibit A, attached hereto and incorporated herein by reference.
4. Notice is hereby given that on September 21, 1993, at 7:00 p.m., in the Council Chambers of the City of Oxnard, any and all persons having any objection to having Zone 1 of the District bear the cost of maintaining and operating the sound wall may appear and be heard.
5. The City Clerk is instructed to give notice by mail of the time, place and purpose of the hearing to each owner whose name and address appears on the last equalized assessment roll and who owns real property within the boundaries of the

District. The notice shall contain the name and telephone number of the Public Works Department of the City of Oxnard where inquiries regarding the hearing proceedings shall be answered.

6. The City Clerk is instructed to post notices of the hearing in three conspicuous places within the District. The notices shall be headed "Notice of Hearing" in letters not less than one inch in height and shall contain a statement of the time and place of the hearing and the diagram attached hereto as Exhibit A. The notice shall be posted not less than 10 days prior to the date set for the hearing.

7. The City Clerk is instructed to file, upon completion of the mailing and posting, an affidavit setting forth the time and manner thereof, as required by Section 5838 of the Streets and Highways Code.


Passed and adopted this 17th day of August, 1993, by the following vote:

AYES: Council Members: Plisky, Herrera, Holden, Lopez & Pinkard
NOES: Council Members: None.
ABSENT: Council Members: None.



Dr. Manuel M. Lopez, Mayor

ATTEST:



Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Gary L. Gillig, City Attorney 8/4/93

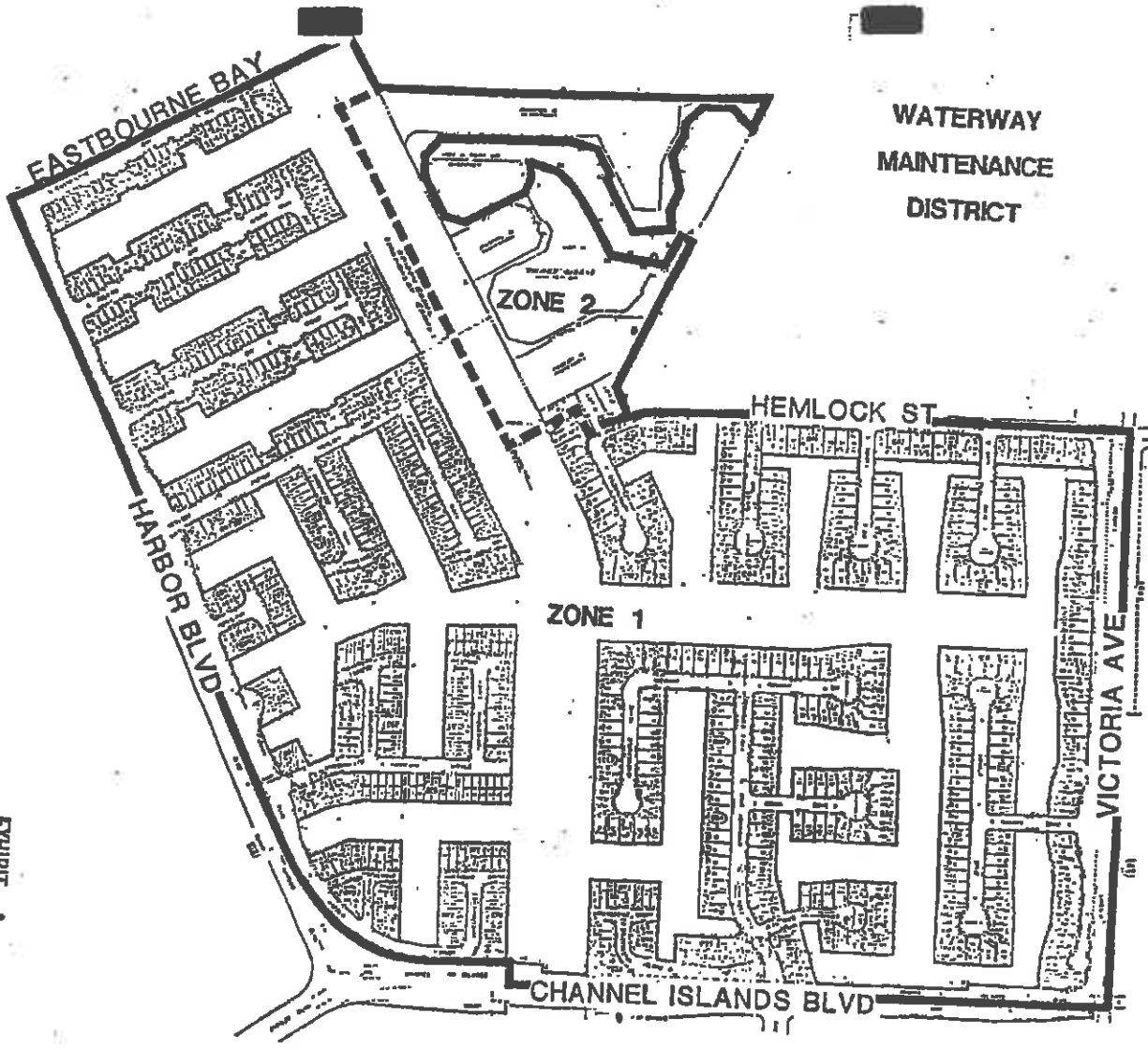
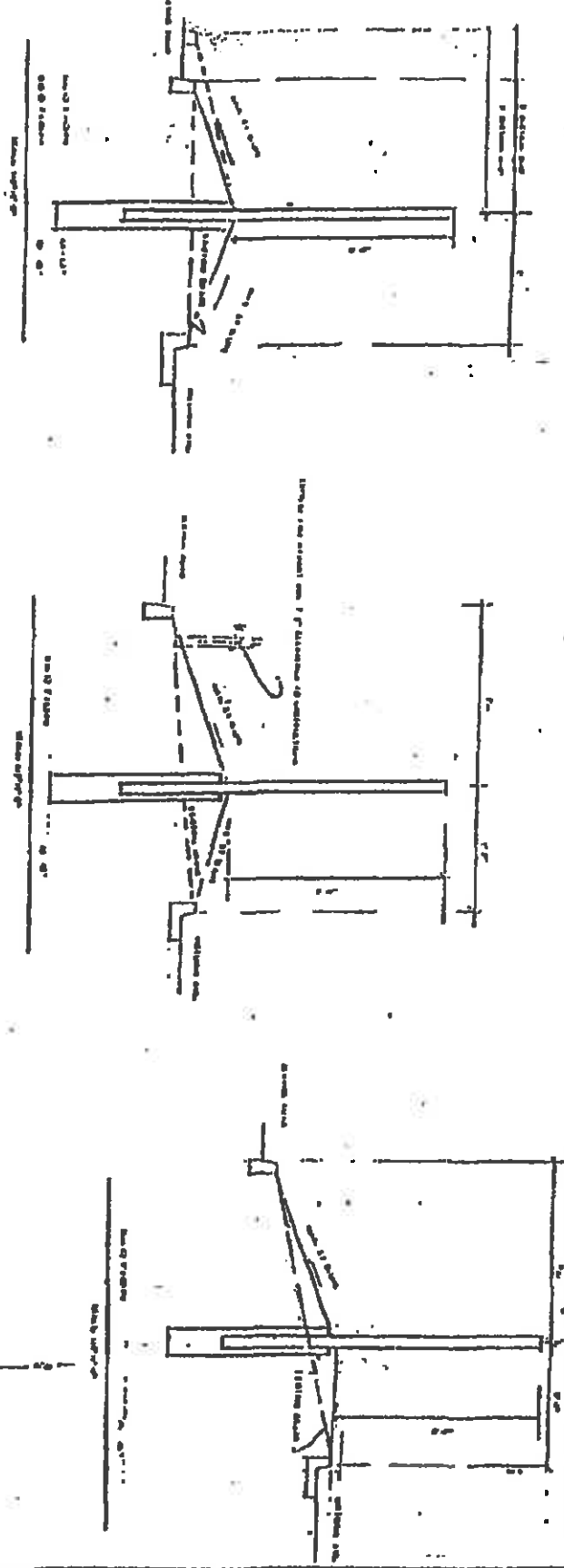
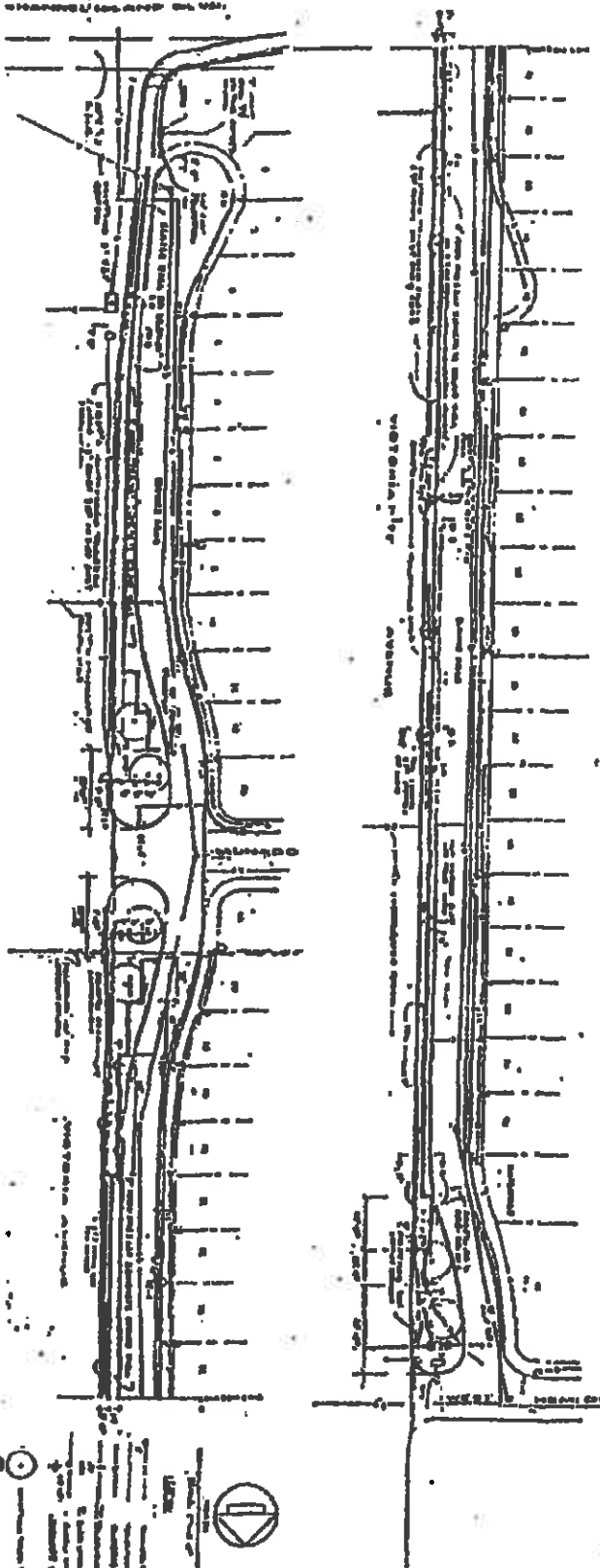


EXHIBIT A

ATTACHMENT 2



PLAN AND ELEVATIONS
VICTORIA AVE. SOUND WALL

UNIVERSITY OF CALIFORNIA
ARCHITECTURAL ARCHITECTS