


**CERTIFICATION**

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    )     ss.  
CITY OF SAN MARINO            )

**I HEREBY CERTIFY** that the attached Resolution is a true and correct copy of Resolution No. R-04-28, Establishing the Granada Avenue Assessment District No. 2 from fiscal years 2005-2006 through 2014-2015, which was adopted by the San Marino City Council on September 8, 2004 and is filed in the Official Book of Resolutions in the Office of the San Marino City Clerk.

I declare, under penalty of perjury, that the foregoing is true and correct.

  
\_\_\_\_\_  
VERONICA RUIZ, CMC  
CITY CLERK

**RESOLUTION NO. R-04-28**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARINO ORDERING THE FORMATION OF THE GRANADA AVENUE ASSESSMENT DISTRICT NO. 2, CONFIRMING A DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 2005-06, AND ORDERING THE IMPROVEMENTS PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, AND AS PROVIDED BY ARTICLE XIIRD OF THE CALIFORNIA CONSTITUTION**

**THE CITY COUNCIL OF THE CITY OF SAN MARINO DOES HEREBY FIND, DETERMINE, ORDER AND RESOLVE AS FOLLOWS:**

**SECTION 1.** Pursuant to prior resolutions, the City Council of the City of San Marino initiated proceedings and declared its intention to order the formation of the Granada Avenue Assessment District No. 2 (the "District") and to levy an assessment against lots and parcels of property within the District pursuant to the provisions of the Landscaping and Lighting Act of 1972 (the "Act"), Part 2 of Division 15 of the California Streets and Highways Code, and Article XIIRD of the California Constitution for the fiscal year commencing July 1, 2005 and ending June 30, 2006. Pursuant to prior resolutions, the City Council ordered the preparation and filing of a written report (the "Engineer's Report") in accordance with Article 4 of Chapter 1 of the Act and Article XIIRD of the California Constitution and approved such Engineer's Report.

**SECTION 2.** Following notice duly given in accordance with law, the City Council has held a full and fair public hearing regarding the formation of the District and the levy and collection of the proposed assessment within the District for fiscal year 2005-06 to pay for the costs and expenses of the improvements described in Section 4 hereof. All interested persons were afforded the opportunity to hear and be heard regarding protests and objections to the formation of the District and the levy and collection of the proposed assessment. The City Council considered all oral and written statements, protests and communications made or filed by interested persons and tabulated all ballots. The City Council hereby finds that a majority protest does not exist as defined in Section 4(e) of Article XIIRD of the California Constitution. All protests and objections to the formation of the District and the levy and collection of the proposed assessment against lots or parcels of property within the District for fiscal year 2005-06 are hereby overruled by the City Council.

**SECTION 3.** Based upon its review of the Engineer's Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, and other reports and information, the City Council hereby finds and determines that (i) the land within the District will be specially benefited by the improvements described in Section 4 hereof and in such Engineer's Report, (ii) the District includes all of the lands so benefited, (iii) the net amount to be assessed upon the lands within the District for fiscal year 2005-06 in accordance with the Engineer's Report is apportioned by a formula and method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated special benefits to be received by each such lot or parcel

from the improvements, and (iv) only special benefits are assessed and no assessment is imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.

**SECTION 4.** The City Council hereby orders the proposed improvements to be made as described in the Engineer's Report, which improvements are briefly described as follows: The installation and construction of ornamental structures consisting of a center of street median island at the north end of Granada Avenue at Huntington Drive, together with the installation and construction of facilities which are appurtenant to the foregoing, including landscaping, irrigation and electrical facilities, and lights, (the "Improvements").

**SECTION 5.** By prior resolution, the City Council determined that the estimated cost of the Improvements is greater than can be conveniently raised from a single annual assessment and ordered that the estimated cost of the Improvements be raised by an assessment levied and collected in ten (10) annual installments in fiscal years 2005-06 through fiscal year 2014-15. The estimated cost of the Improvements (less a contribution by the City of \$20,000) is \$25,000 and the maximum amount of each annual installment shall not exceed \$2,500.

**SECTION 6.** Voluntary contributions may be received from City of Alhambra residents or others towards the project. Contributions received will be credited towards the assessments.

**SECTION 7.** By prior resolution, the City Council determined that the City shall provide a temporary advance to the District's Improvement Fund from any available and unencumbered funds of the City to pay all or part of the cost of the Improvements and directed that the advance be repaid from the annual installments levied and collected during the fiscal years designated in Section 5 above.

**SECTION 8.** The City Council hereby orders the formation of the Granada Avenue Assessment District No. 2.

**SECTION 9.** The City Council hereby finally approves the Engineer's Report and confirms the diagram and assessment set forth in the Engineer's Report as filed.

**SECTION 10.** The assessment is in compliance with the provisions of the Act and Article XIID of the California Constitution and the City Council has complied with all laws pertaining to the levy of an annual assessment pursuant to the Act and Article XIID of the California Constitution.

**SECTION 11.** The assessment is levied without regard to property valuation.

**SECTION 12.** The assessment is levied for the purpose of paying the costs and expenses of the Improvements described in Section 4 hereof for fiscal year 2005-06.

**SECTION 13.** The Improvements shall be performed pursuant to law.

**SECTION 14.** The City Treasurer shall deposit all moneys representing assessments collected by the County to the credit of a special fund known as the Improvement Fund for the Granada Avenue Assessment District No. 2.

**SECTION 15.** The adoption of this Resolution constitutes the levy of an assessment against the lots and parcels of land in the District for the fiscal year commencing July 1, 2005 and ending June 30, 2006.

**SECTION 16.** The City Clerk is hereby authorized and directed to file the diagram and assessment, or a certified copy of the diagram and assessment, with the County Auditor, together with a certified copy of this Resolution upon its adoption.

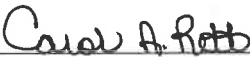
**SECTION 17.** The City Engineer is hereby authorized and directed to cause a copy of the diagram to be recorded in the office of the County Recorder in accordance with Streets and Highways Code Section 3114.

**SECTION 18.** A certified copy of the assessment and diagram shall be filed in the office of the City Clerk and be open for public inspection.

**PASSED, APPROVED AND ADOPTED** this 8th day of September, 2004.

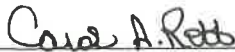
  
ROBERT G. TWIST, MAYOR

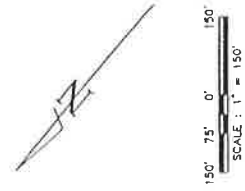
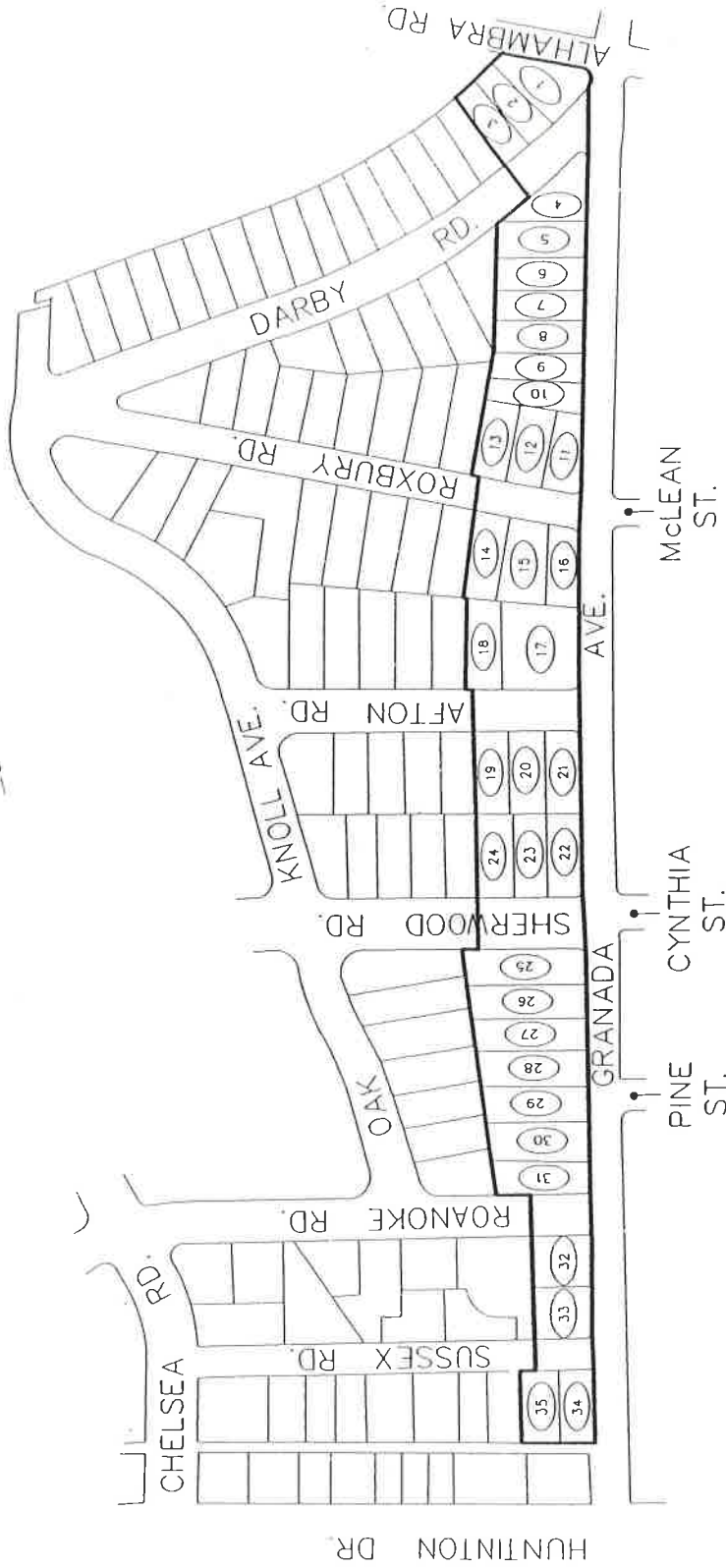
ATTEST:

  
CAROL A. ROBB, MMC  
CITY CLERK

**I HEREBY CERTIFY** that the foregoing Resolution No. R-04-28 adopted by the City Council of the City of San Marino at a Regular Meeting of the City Council held on the 8<sup>th</sup> day of September, 2004 by the following vote:

AYES : COUNCILMEMBERS BAYLE, BROWN, VICE MAYOR LIN, AND MAYOR TWIST.  
NOES : COUNCILMAN FILUTZE.  
ABSENT : NONE.

  
CAROL A. ROBB, MMC  
CITY CLERK



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PROPOSED BOUNDARY OF  
 GRANADA AVENUE ASSESSMENT DISTRICT NO. 2

CITY OF SAN MARINO  
 COUNTY OF LOS ANGELES  
 STATE OF CALIFORNIA