

**ORDINANCE NO. 19-2004**

**AN ORDINANCE OF  
THE CITY COUNCIL OF THE CITY OF ELK GROVE  
LEVYING AND APPORTIONING THE SPECIAL TAX IN TERRITORY ANNEXED TO  
COMMUNITY FACILITIES DISTRICT NO. 2003-1 (POPPY RIDGE)  
(ANNEXATION NO. 1)**

WHEREAS, City Council has established Community Facilities District No. 2003-1 (Poppy Ridge) (the "CFD") pursuant to Resolution No. 2003-15 (the "Resolution of Formation"), duly adopted on January 15, 2003, for the purpose of providing for the financing of certain public facilities and public safety services in and for the City;

WHEREAS, the City Council duly adopted Resolution No. 2004-175 (the "Resolution") on July 21, 2004, wherein the City Council submitted the question of levying a special tax in territory proposed to be annexed to the CFD at the rate and according to the method of apportionment described therein;

WHEREAS, at an election held in the territory proposed to be annexed to the CFD on July 21, 2004, the qualified electors of such territory authorized the levy of the special tax described in the Resolution;

WHEREAS, the City Council duly adopted Resolution No. 2004-176 on July 21, 2004, wherein the City Council determined that the territory proposed to be annexed was added to the CFD (such territory being referred to herein as "Annexation No. 1");

NOW, THEREFORE, the City Council of the City of Elk Grove does ordain as follows:

1. **Recitals**. The foregoing recitals are true and correct.
2. **Levy of Special Tax**. Pursuant to Section 53340 of the California Government Code, the special tax is hereby levied at the maximum rates and apportioned in the manner specified in the Resolution on all parcels in Annexation No. 1.
3. **Collection of Special Tax**. Pursuant to Section 53340 of the California Government Code and the Resolution, the special tax shall be collected in the same manner as ordinary *ad valorem* property taxes are collected and shall be subject to the same procedure, sale, and lien priority in case of delinquency as is provided for *ad valorem* taxes; provided, however, that the City may directly bill the special tax, may collect special taxes at a different time or in a different manner if necessary to meet the financial obligations of the CFD or as otherwise determined appropriate by the City.

4. **Claims for Refund.** Claims for refund of the tax shall comply with the following and any additional procedures as established by the City Council:

(a) All claims shall be filed, in writing, with the Director of Administrative Services during the Fiscal Year in which the error is believed to have occurred. The claimant shall file the claim within this time period and the claim shall be finally acted upon by the City Council as a prerequisite to bringing suit thereon.

(b) Pursuant to Government Code section 935(b), the claim shall be subject to the provisions of Government Code sections 945.6 and 946.

(c) The City Council shall act on a timely claim within the time period required by Government Code section 912.4.

(d) The procedure described in this Ordinance, and any additional procedures established by the City Council, shall be the exclusive claims procedure for claimants seeking a refund of the tax. The decision of the City Council shall be final.

5. **Effective Date and Publication.** This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within 15 days after its passage, a summary of the ordinance may be published at least five days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to Government Code section 36933(c)(1).

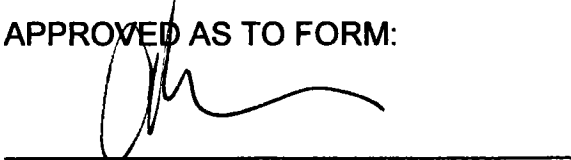
**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 4<sup>th</sup> day of August 2004.

  
SOPHIA SCHERMAN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

  
ANTHONY B. MANZANETTI,  
CITY ATTORNEY

**Effective Date: September 3, 2004**

**AYES: Scherman, Soares, Briggs**

**NOES: None**

**ABSTAIN: None**

**ABSENT: Leary**

FILED IN THE OFFICE OF THE CITY CLERK THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2004

CITY CLERK  
CITY OF ELK GROVE

I HEREBY CERTIFY THAT THE WITHIN AMENDED MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION NO. 1 TO COMMUNITY FACILITIES DISTRICT NO. 2003-1, (POPPY RIDGE), CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ELK GROVE AT A REGULAR MEETING THEREOF, HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2004 BY ITS RESOLUTION NO. \_\_\_\_\_

CITY CLERK  
CITY OF ELK GROVE

FILED THIS \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. IN THE BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AND AS INSTRUMENT NO. \_\_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

COUNTY RECORDER  
COUNTY OF SACRAMENTO  
STATE OF CALIFORNIA

REFERENCE IS MADE TO THAT BOUNDARY MAP OF COMMUNITY FACILITIES DISTRICT NO. 2003-1 (POPPY RIDGE) OF THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, RECORDED WITH THE SACRAMENTO COUNTY RECORDER'S OFFICE ON DECEMBER 6, 2002, IN BOOK 98 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS ON PAGE 3, AS INSTRUMENT NUMBER 0001623384.

REFERENCE IS ALSO MADE TO THAT CERTAIN MAP OF SUBDIVISION NO. 02-358 2, SOUTHMEADOWS UNIT 2, FILED ON THE 1ST DAY OF APRIL, 2004, AT THE HOUR OF 12:34 O'CLOCK P.M. AS INSTRUMENT NO. 2004-0401184 IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA AT BOOK 98 PAGE 18, AS DOCUMENT NUMBER 200405247520.

THIS AMENDED ANNEXATION MAP AMENDS AND REPLACES THE ANNEXATION MAP NO. 1 OF COMMUNITY FACILITIES DISTRICT NO. 2003-1 (POPPY RIDGE), CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, PRIOR RECORDED ON MAY 24TH, 2004, AT BOOK 98 PAGE 18, AS DOCUMENT NUMBER 200405247520.

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE SACRAMENTO COUNTY ASSESSORS MAPS FOR THOSE PARCELS LISTED

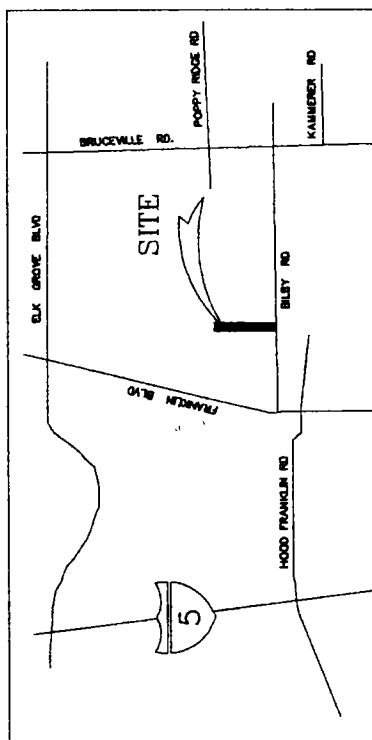
THE SACRAMENTO COUNTY ASSESSORS MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS

LEGEND

ANNEXATION BOUNDARY

MAP REFERENCE NUMBER

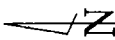
PORTION OF EXISTING CFD 2003-1



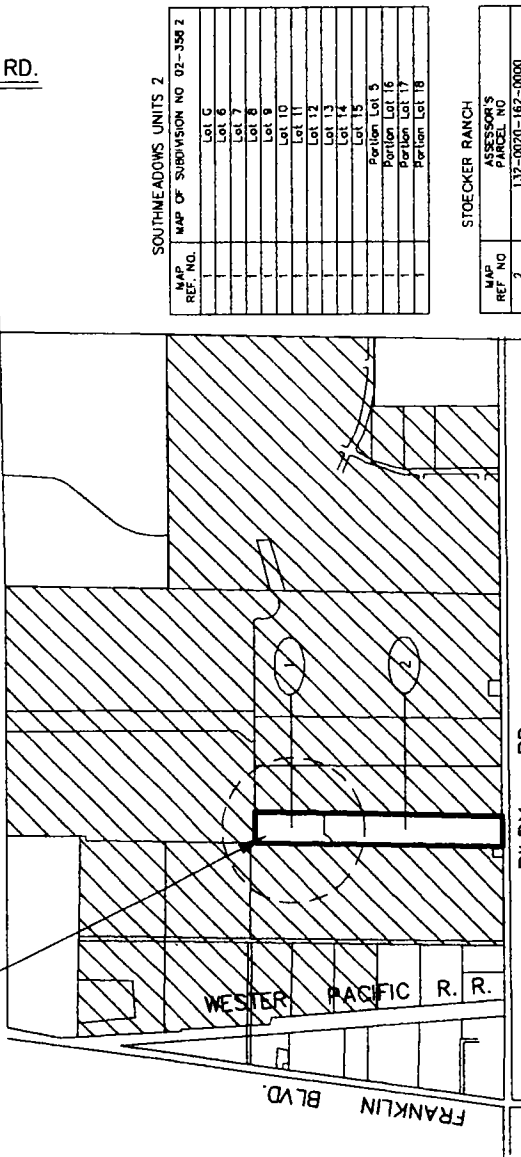
VICINITY MAP

SEE DETAIL ON SHEET 2

BRUCEVILLE RD.



800' 400' 0' 800'  
SCALE: 1" = 800'



SOUTHMEADOWS UNITS 2

MAP REF. NO.	MAP OF SUBDIVISION NO 02-358 2
1	LOT 5
1	LOT 6
1	LOT 7
1	LOT 8
1	LOT 9
1	LOT 10
1	LOT 11
1	LOT 12
1	LOT 13
1	LOT 14
1	LOT 15
1	Parcel Lot 5
1	Parcel Lot 16
1	Parcel Lot 17
1	Parcel Lot 18

STOCKER RANCH

MAP REF. NO.	ASSESSOR'S PARCEL NO.
2	132-0020-162-0000

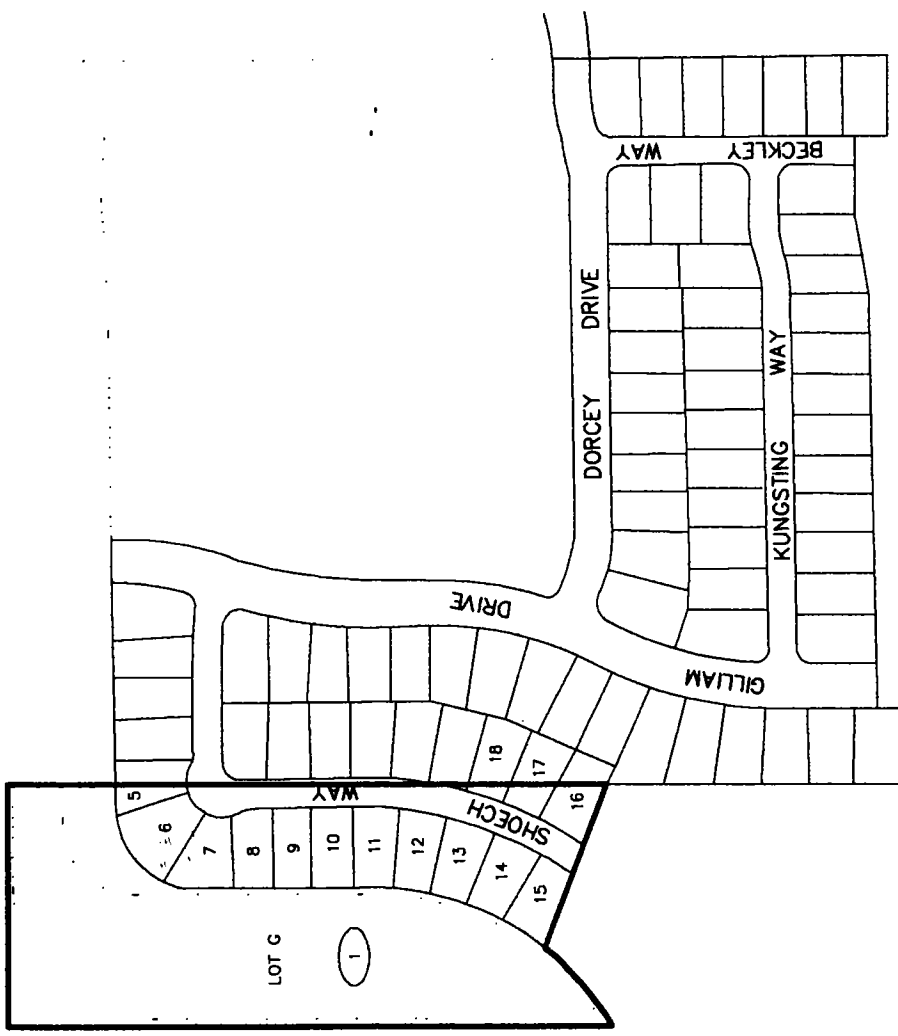


**MuniFinancial**

27356 Via Industria  
Suite 110 Colton, CA 95926-3641  
Phone (909) 967-3500 Fax (909) 967-3610

AMENDED ANNEXATION MAP NO. 1 OF  
COMMUNITY FACILITIES DISTRICT NO. 2003-1 (POPPY RIDGE)

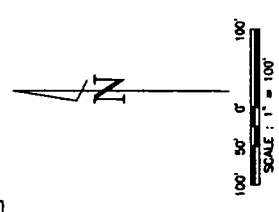
CITY OF ELK GROVE  
COUNTY OF SACRAMENTO  
STATE OF CALIFORNIA



LEGEND  
 ANNEXATION BOUNDARY  
 MAP REFERENCE NUMBER  
 1  
 5  
 LOT NUMBER

SOUTHMEADOWS UNITS 2  
 MAP OF SUBDIVISION NO. 02-35612

MAP REF. NO.	LOT 5
	LOT 6
	LOT 7
	LOT 8
	LOT 9
	LOT 10
	LOT 11
	LOT 12
	LOT 13
	LOT 14
	LOT 15
	Portion Lot 5
	Portion Lot 18
	Portion Lot 17
	Portion Lot 18



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AMENDED ANNEXATION MAP NO. 1 OF  
 COMMUNITY FACILITIES DISTRICT NO. 2003-1 (POPPY RIDGE)

CITY OF ELK GROVE  
 COUNTY OF SACRAMENTO  
 STATE OF CALIFORNIA

790-001-0103-79 (04-002) JANUARY 2004