

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING ANNUAL ENGINEER'S REPORT, CONFIRMING DIAGRAM AND ASSESSMENT AND ORDERING LEVY OF ASSESSMENT FOR FISCAL YEAR 2011-2012 FOR LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 95-1**

**WHEREAS**, by its Resolution No. 8089, A Resolution Directing Preparation of Annual Report for the City of Milpitas Maintenance Assessment District No. 95-1, this Council ordered the Engineer to make and file a report in writing in accordance with and pursuant to the Landscaping and Lighting Act of 1972; and

**WHEREAS**, the report was duly made and filed with the City Clerk and duly considered by this Council and found to be sufficient in every particular, whereupon it was determined that the report should stand as the Annual Engineer's Report for all subsequent proceedings under and pursuant to the aforesaid Resolution, and that June 21, 2011 at the hour of 7:00 p.m. in the Milpitas City Council Chambers, 455 East Calaveras Boulevard, Milpitas, California, were appointed as the time and place for a hearing by this Council on the question of the levy of the proposed assessment, notice of which hearing was given as required by law; and

**WHEREAS**, at the appointed time and place the hearing was duly and regularly held, and all persons interested desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to the levy were fully heard and considered by this Council, and all oral statements and all written protests or communications were duly heard, considered and overruled, and this Council thereby acquired jurisdiction to order the levy and the confirmation of the diagram and assessment prepared by and made a part of the Engineer's Report to pay the costs and expenses thereof.

**NOW, THEREFORE**, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The public interest, convenience and necessity require that the levy be made.
3. The Maintenance Assessment District No. 95-1 ("Maintenance District") benefited by the improvements and assessed to pay the costs and expenses thereof, and the exterior boundaries thereof, are as shown by a map thereof filed in the office of the City Clerk, which map is made a part hereof by reference thereto.
4. The Engineer's Report as a whole and each part thereof are finally approved and confirmed, including:
  - (a) the Engineer's estimate of the itemized and total costs and expenses of maintaining the improvements and of the incidental expenses in connection therewith; and
  - (b) the diagram showing the assessment district, plans and specifications for the improvements to be maintained and the boundaries and dimensions of the respective lots and parcels of land within the Maintenance District; and
  - (c) the assessment of the total amount of the costs and expenses of the proposed maintenance of the improvements upon the several lots and parcels of land in the Maintenance District in proportion to the estimated benefits to be received by such lots and parcels, respectively, from the maintenance, and of the expenses incidental thereto.
5. Final adoption and approval of the Annual Engineer's Report as a whole, and of the plans and specifications, estimate of the costs and expenses, the diagram and the assessment, as contained in the report, as hereinabove determined and ordered, is intended to and shall refer and apply to the

report, or any portion thereof as amended, modified, or revised or corrected by, or pursuant to and in accordance with any resolution or order, if any, heretofore duly adopted or made by this Council.

6. The assessment to pay the costs and expenses of the maintenance of the improvements for fiscal year 2011-2012 is hereby levied. For further particulars pursuant to the provisions of the Landscaping and Lighting Act of 1972, reference is hereby made to the Resolution Directing Preparation of Annual Engineer's Report.
7. Based on the oral and documentary evidence, including the Annual Engineer's Report, offered and received at the hearing, this Council expressly finds and determines (a) that each of the several lots and parcels of land will be specially benefited by the maintenance of the improvements at least in the amount, if not more than the amount, of the assessment apportioned against the lots and parcels of land, respectively, and (b) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special benefits.
8. Immediately upon the adoption of this Resolution, but in no event later than the third Monday in August following such adoption, the City Clerk shall file a certified copy of the diagram and assessment and a certified copy of this Resolution with the Auditor of the County of Santa Clara. Upon such filing, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount of assessment thereupon as shown in the assessment. The assessments shall be collected at the same time and in the same manner as County taxes are collected, and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments. After collection by the County, the net amount of the assessments, after deduction of any compensation due the County for collection, shall be paid to the Director of Financial Services/Treasurer of the City.
9. Upon receipt of moneys representing assessments collected by the County, the Director of Financial Services/Treasurer shall deposit the moneys in the City Treasury to the credit of the improvement fund previously established under the distinctive designation of the Maintenance District. Moneys in the improvement fund shall be expended only for the maintenance, servicing, construction or installation of the improvements.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

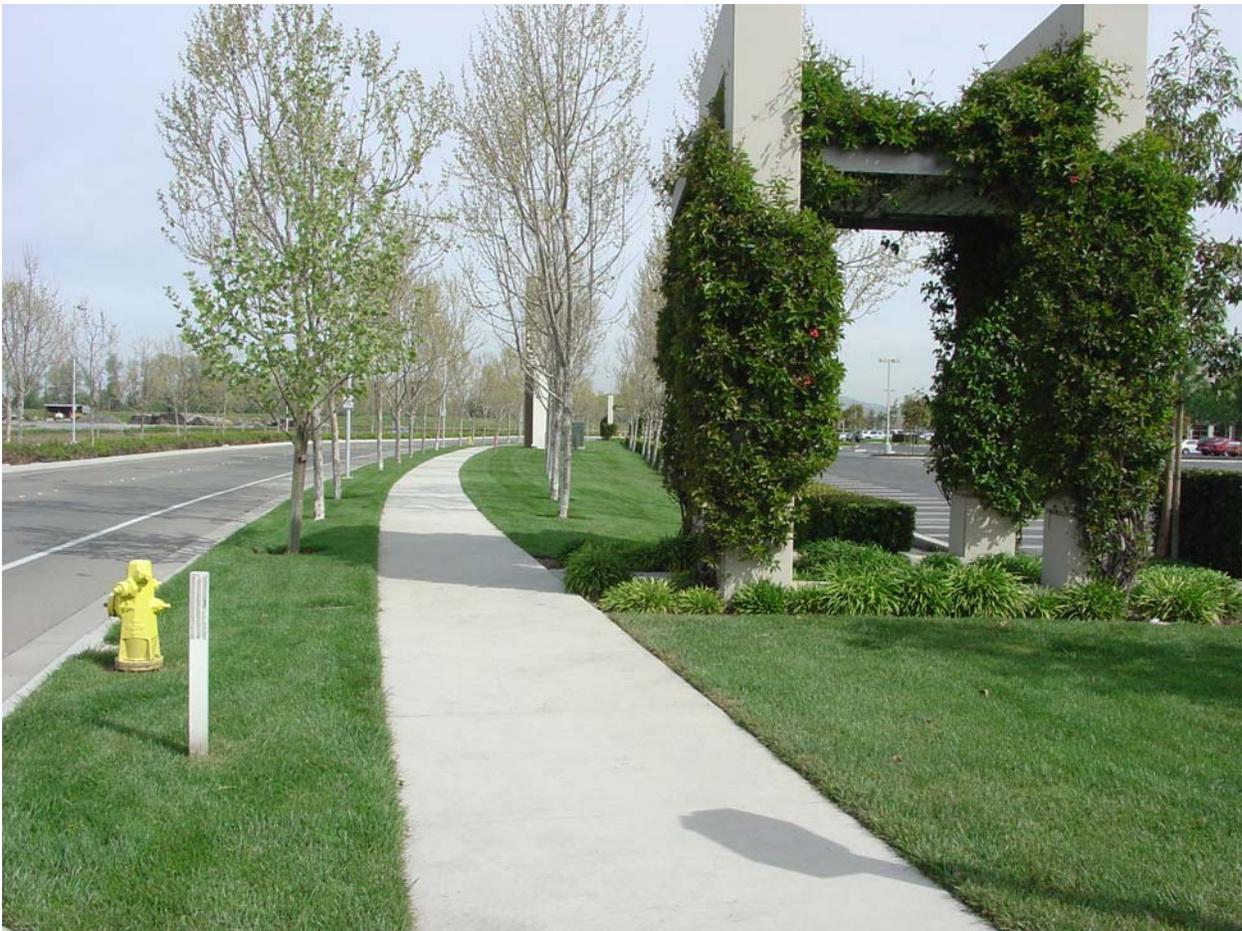
\_\_\_\_\_  
Michael J. Ogaz, City Attorney



## **FISCAL YEAR 2011-2012 PROPOSED**

### **ANNUAL ENGINEER'S REPORT LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 95-1**

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**CITY OF MILPITAS  
CALIFORNIA**

**CITY OF MILPITAS  
SANTA CLARA COUNTY  
CALIFORNIA**

**ANNUAL ENGINEER'S REPORT  
FOR  
LANDSCAPING AND LIGHTING  
MAINTENANCE ASSESSMENT  
DISTRICT NO. 95-1**

**FISCAL YEAR 2011-2012**

**Jose S. Esteves, Mayor**

**MEMBERS OF THE CITY COUNCIL**

Jose S. Esteves, Mayor  
Pete "Primo" McHugh, Vice Mayor  
Althea Polanski, Council Member  
Debbie Giordano, Council Member  
Armando Gomez JR., Council Member

Thomas C. Williams, City Manager  
Michael J. Ogaz, City Attorney  
Mary Lavelle, City Clerk

**PREPARED BY:**

Greg Armendariz P.E., Public Work Director/City Engineer  
Fernando G. Bravo P.E., Principal Civil Engineer  
Land Development Section

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ASSESSMENT DISTRICT 95-1**

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## **ANNUAL ENGINEER'S REPORT**

### **LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 95-1**

Greg Armendariz, Engineer of Work for Landscaping and Lighting Maintenance Assessment District No. 95-1 (the "Maintenance Assessment District"), City of Milpitas, Santa Clara County, California, makes this report, as directed by the City Council, pursuant to Section 22585 of the Streets and Highways Code.

The improvements which are the subject of this report are briefly described on the attached Exhibit A.

This report consists of seven parts, as follows:

PART A- Plans and specifications for the improvements to be maintained and operated are filed with the City Clerk. Although separately bound, the plans and specifications are a part of this report and are included in it by reference.

PART B- An estimate of the cost of the improvement to be maintained or operated.

PART C- An assessment of the estimated cost of the improvement to be maintained or operated on each benefited parcel of land within the assessment district.

PART D - A statement of the method by which the undersigned has determined the amount proposed to be assessed against each parcel.

PART E- A list of the names and addresses of the owners of the real property within this assessment district, as shown on the last equalized assessment roll for taxes, or as known to the Clerk.

PART F - A diagram showing all of the parcels of real property within this assessment district. The diagram is keyed to the Assessment Roll by assessment number.

PART G - A vicinity map showing the landscape areas.

Respectfully submitted,

Greg Armendariz, Engineer of Work  
RCE No. 40283 Exp. 12/31/12

## EXHIBIT A

### DESCRIPTION OF WORK LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 95-1

The Maintenance Assessment District is generally described as a district bounded on the east by Interstate 880, on the west by Coyote Creek, on the south by the State Route 237, and on the north by Dixon Landing Road as shown on the attached figure 1 and figure 2.

The improvements within the Maintenance Assessment District consist of the maintenance and installation of any or all public landscaping and irrigation improvements adjacent to curbs of the following described streets, including jogging paths, planter walls, grass berms, pedestrian lighting and appurtenant irrigation systems; ornamental planting including lawns, shrubs, and trees; installation and maintenance of gateway columns and entry signs; such maintenance to include all necessary repairs, replacements, water, electric current, spraying, care, supervision, debris removal and all other items of work necessary and incidental for proper maintenance and operation thereof.

All such work shall be performed within the following areas:

#### **N. McCarthy Boulevard**

- 1) A strip of land including an earth berm approximately 50 feet in width from face of east curb line, from the southerly connection with Ranch Drive northerly 2,400 feet, more or less, to the northerly connection with Ranch Drive. A strip of land including a grass berm approximately 35 feet in width, west of the face of westerly curb, along the West Side of N. McCarthy Boulevard, from the southerly connection with Ranch Drive, northerly 2,400 feet, more or less. The initial phase includes a strip of land 6 feet wide on the west side of McCarthy Boulevard.
- 2) Commencing at a location approximately 2,400 feet north of State Route 237 thence proceeding north to the northern boundary of Lands of N. McCarthy, 7,800 feet more or less, a strip of land approximately 27 to 34 feet in width on each side along the east and west sides of McCarthy Boulevard between the northerly connection with Ranch Drive and Dixon Landing Road.
- 3) A median island from the southerly intersection with Ranch Drive northerly to the intersection with Dixon Landing Road.
- 4) Gateway Improvements, at the southerly intersection of N. McCarthy Boulevard and Ranch Drive and southerly of Bridge No 1 along N. McCarthy Boulevard, including curved stone planter walls, gateway columns with entry sign appurtenant mounding

ornamental plantings including flat work, trees and ground cover, irrigation systems; all as shown on landscape plans.

5) Lighting costs in the Maintenance Assessment District are limited to the supplemental pedestrian lights installed between each of the 2 street lights on the section of curved walkway located on the East Side of N. McCarthy Boulevard. The conventional lighting along McCarthy Boulevard is not included.

### **Milpitas Entry Sign**

City of Milpitas Entry Identification Sign along N. McCarthy Blvd., including walls, columns, lighting and other appurtenant.

### **Ranch Drive**

1) Commencing at a Northerly location where the right-of-way of Ranch Drive is contiguous with the right-of-way of Interstate 880, thence southerly, a strip of land approximately 10 feet in width measured from the east face of curb of Ranch Drive, from the northerly connection with Interstate 880 and Ranch Drive, southerly 630 feet, more or less, thence 405 feet south to the southerly end of Gateway location, varying in width from 10 feet to 132 feet, more or less.

2) Gateway Improvements, at the southerly connection of Ranch Drive and Interstate 880, including curved stone planter walls, gateway columns with entry sign appurtenant mounding ornamental plantings including flat work, trees and ground cover, irrigation systems; all as shown on landscape plans (Part A), except the Shopping Center's Monument Sign.

## **PART A**

Plans and specifications for the improvements to be maintained and operated are filed with the City Clerk. Although separately bound, the plans and specifications are a part of this report and are included in it by reference.

**LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT**  
**LMD 95-1**  
**2011-2012 FISCAL YEAR**  
**McCARTHY RANCH**

**PART B- ANNUAL BUDGET**

<b>LANDSCAPING, LIGHTING &amp; IRRIGATION</b>	<b>2010-2011 Budgeted</b>	<b>2011-2012 Proposed</b>
A. Personnel Costs	\$ 26,400.00	\$ 26,400.00
B. Contractual Services	\$ 200,000.00	\$ 200,000.00
C. Capital Equipment	\$ 10,000.00	\$ 10,000.00
D. Supplies	\$ 53,310.00	\$ 53,500.00
E. Water Costs	\$ 33,000.00	\$ 40,000.00
F. Electricity Costs	\$ 5,000.00	\$ 5,000.00
G. CIP		\$ 200,000.00
<b>TOTAL ANNUAL EXPENDITURE</b>	<b>\$ 327,710.00</b>	<b>\$ 534,900.00</b>
Prior Year Fund Balance	\$ 461,971.00	\$ 351,878.00
<b>TOTAL AMOUNT TO BE ASSESSED</b>	<b>\$ 276,676.00</b>	<b>\$ 276,676.00</b>
Ending Fund Balance:		\$ 93,654.00

**\* Need to maintain \$65,000 Reserve**

**LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT  
LMD 95-1  
2011-2012 FISCAL YEAR**

**PART C- ASSESSMENT ROLL**

<b>Assessment Diagram Number</b>	<b>Assessor's Parcel Number</b>	<b>2011-2012 Assessment</b>
1-1A-1	022-54-016	\$1,082.62
1-1A-2	022-54-017	\$3,360.20
1-1A-3	022-54-018	\$2,359.28
1-1A-4	022-54-019	\$194.10
1-1B	022-54-008	\$796.64
1-2	022-54-002	\$592.40
1-3	022-54-003	\$1,041.70
1-4A	022-54-009	\$8,650.70
1-4B	022-54-012	\$3,084.40
1-4C	022-54-013	\$234.90
1-4D	022-54-015	\$1,817.98
1-4E	022-54-014	\$653.66
1-4F	022-54-011	\$1,337.90
1-4G	022-54-010	\$1,051.98
2-1	022-53-001	\$766.00
2-2	022-53-002	\$1,256.24
2-3	022-53-003	\$776.22
2-4	022-53-004	\$612.80
2-5	022-53-005	\$755.80
2-6	022-53-006	\$1,215.40
2-7	022-53-007	\$22,387.60
3	022-29-016	\$14,870.64
4-1A-1	022-56-005	\$2,073.30
4-1A-2	022-56-006	\$2,103.90
4-1A-3	022-56-007	\$2,114.16
4-1A-4	022-56-008	\$35,256.50
4-1A-5	022-56-009	\$24,839.00
4-1B	022-29-037	\$0.00
5-1A-1	022-29-034	\$37,442.10
5-2A-1	022-29-035	\$31,804.38
5-3A	022-29-036	\$35,756.90
5-3B-1	022-30-037	\$9,386.10
5-3B-2	022-30-038	\$10,213.40
5-3B-3	022-30-039	\$5,331.40
5-3C (Storm Pump Station)	022-30-035	\$95.84
5-5A	022-30-048	\$9,539.30
5-6 (Open Space)	022-30-041	\$0.00
5-7 (Sewer Pump Station)	022-30-049	\$1,821.00

**PART D**  
**METHOD OF ASSESSMENT**  
**LANDSCAPING AND LIGHTING MAINTENANCE**  
**ASSESSMENT DISTRICT NO. 95-1**

The special benefits that accrue to the properties in the Maintenance Assessment District are limited to those properties that abut an improved public street or which have been obligated by issuance of bonds for necessary public improvements (the "Improved Parcels"). Other properties in the Maintenance Assessment District receive only a general benefit from the work of improvements, and there is also some general benefit that accrues to the community as a whole. The total amount of general benefit from the improvements is determined to be less than 10% of the total cost thereof, and the annual cost attributable to general benefit is therefore less on a present value basis than the amount of the contribution to total costs made by the City of Milpitas in fiscal year 2001-2002. Accordingly, no property within the Maintenance Assessment District is assessed more than the proportionate special benefit conferred on that property.

The Improved Parcels receive a special benefit proportionate to their net acreage and thus they are assessed on the basis of total net acreage for all costs associated with the maintenance and installation of the Maintenance Assessment District improvements including incidentals, Engineer's Report, printing and advertising of assessment notices, County collection fees, legal fees and appurtenances with the following exceptions:

1. Parcel 5-7 (Sewer Main Pump Station) and Parcel 5-3C (Storm Pump Station) do not benefit from landscaping as much as other Improved Parcels because they are dedicated to municipal sanitary sewer and storm facilities use and will not be otherwise developed. Therefore, they are assigned a special benefit equal to 50% of the benefit accruing to other Improved Parcels.
2. Parcel 4-1B and parcel 5-6 are dedicated to open space and therefore, they do not receive any special benefit from the improvements, but rather they provide a special benefit.

The amount of assessment levied on each Improved Parcel in the maintenance Assessment District shall be in a range from \$.012 per net square foot to .03 per net square foot, with the exact amount to be levied in any given year to be determined by the budget for that year. \$0.012 to \$0.03 per net square foot are the amounts of the range of assessments for fiscal year 2001-2002, and these amounts shall be increased in subsequent years by the percentage increase from April 1<sup>st</sup> of the prior year to April 1<sup>st</sup> of the current year in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Indexes, Pacific Cities and U.S. City Average, San Francisco-Oakland-San Jose.

The assessment per net square foot in fiscal year 2000-2001 was \$0.017. The range of assessments being levied in fiscal year 2001-2002, which could result in the Maximum

Assessment shown below (which do not include CPI adjustment) represents an increase in the assessments.

**RANGE OF ASSESSMENT**

Assessment Diagram Number	Assessor's Parcel Number	Assessment Range	
		2001-2002 Assessment	Maximum * Assessment
1-1A-1	022-54-016	\$586.62	\$1,400.84
1-1A-2	022-54-017	\$1,808.28	\$4,318.16
1-1A-3	022-54-018	\$1,268.99	\$3,030.33
1-1A-4	022-54-019	\$107.31	\$256.25
1-1B	022-54-008	\$430.33	\$1,027.63
1-2	022-54-002	\$319.72	\$763.50
1-3	022-54-003	\$561.86	\$1,341.70
1-4A	022-54-009	\$4,660.49	\$11,129.17
1-4B	022-54-012	\$1,660.80	\$3,965.98
1-4C	022-54-013	\$128.22	\$306.19
1-4D	022-54-015	\$980.08	\$2,340.42
1-4E	022-54-014	\$350.54	\$837.09
1-4F	022-54-011	\$564.06	\$1,714.91
1-4G	022-54-010	\$718.14	\$1,346.96
2-1	022-53-001	\$414.38	\$989.52
2-2	022-53-002	\$679.07	\$1,621.61
2-3	022-53-003	\$416.58	\$994.78
2-4	022-53-004	\$331.28	\$791.09
2-5	022-53-005	\$408.32	\$975.07
2-6	022-53-006	\$653.76	\$1,561.16
2-7	022-53-007	\$12,060.91	\$28,801.29
3	022-29-016	\$8,011.81	\$19,132.09
4-1A	022-56-004	\$35,769.46	\$85,416.97
4-1B (Open Space)	022-29-033	\$0.00	\$0.00
5-1A-1	022-29-031	\$23,112.57	\$55,192.50
5-2A-1	022-29-032	\$14,197.72	\$33,903.97
5-3A	022-29-033	\$19,265.98	\$46,006.89
5-3B	022-30-032	\$13,432.81	\$32,077.36
5-3C(Storm Pump Station)	022-30-035	\$51.64	\$123.31
5-5A	022-30-048	\$5,139.80	\$12,273.76
5-6 (Open Space)	022-30-034	\$0.00	\$0.00
5-7 (Sewer Pump Station)	022-30-049	\$981.13	\$2,342.94
<b>TOTAL</b>		<b>\$149,072.66</b>	<b>\$355,983.42</b>

\* Does not include CPI adjustment

Any property owner who feels that the amount of their assessment is in error as a result of incorrect information being used to apply the foregoing method of spread, may file an appeal with the Finance Director of the City. Any such appeal is limited to correction of an assessment during the current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the Finance Director shall promptly review the information provided by the property owner and if he/she finds that the assessment should be modified, he/she shall have the authority to make the appropriate changes in the assessment roll. If any such changes are provided after the assessment roll has been filed with the County for collection, the Finance Director is authorized to refund to the property owner the amount of any approved reduction.

**LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT  
LMD 95-1  
2011-2012 FISCAL YEAR**

**PART E- PROPERTY OWNERSHIP LIST**

<b>ASSESSMENT DIAGRAM NUMBER</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>OWNER</b>	<b>NET ASSESSABLE AREA (acres)</b>
1-1A-1	022-54-016	<b>Houret Robert J Trustee &amp; ET AL</b> 5570 Sanchez Dr San Jose, CA 95123	1.06
1-1A-2	022-54-017	<b>Apple 6 Hospitality Ownership Inc.</b> 814 E MAIN ST RICHMOND, VA 23219	3.29
1-1A-3	022-54-018	<b>LL Milpitas, LP</b> 125 E SIR FRANCIS DRK STE 200 LARKSPUR CA 94939	2.31
1-1A-4	022-54-019	<b>In-N-Out Burgers</b> 13502 Hamburger Ln Baldwin Park, CA 91706	0.19
1-1B	022-54-008	<b>In-N-Out Burgers</b> 4199 Campus Dr Unit 9th FL Irvine, CA 92612-2698	0.78
1-2	022-54-002	<b>First Creekside Assoc.</b> P. O. BOX 835 Grafton, WI 53024	0.58
1-3	022-54-003	<b>LOO YUK LUN TRUSTEE &amp; ET AL</b> 999 W TAYLOR ST STE D SAN JOSE, CA 95126	1.02
1-4A	022-54-009	<b>McCARTHY SHOPPING CTR LP</b> 100 SMITH RANCH RD STE 325 SAN RAFAEL, CA 94903	8.47
1-4B	022-54-012	<b>F &amp; M Sorci Land Company, Inc.</b>	3.02
1-4C	022-54-013	333 W El Camino Real Ste 240 Sunnyvale, CA 94087-1969	0.23
1-4D	022-54-015	<b>Pacific Meritage, LLC</b> P.O.Box 1547 San Ramon, CA 94583-6547	1.78

<b>ASSESSMENT DIAGRAM NUMBER</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>OWNER</b>	<b>NET ASSESSABLE AREA (acres)</b>
1-4E	022-54-014	<b>J N C International Entprs LLC</b> 1080 HIAWATHA CT Fremont, CA 94539	0.64
1-4F	022-54-011	<b>First Creekside Assoc.</b> P. O. BOX 835 Grafton, WI 53024	1.31
1-4G	022-54-010	<b>KMV PROPERTIES LLC</b> 2 Carnoustie Moraga, CA 94556	1.03
2-1	022-53-001	<b>HAM JAYNE Y</b> 11713 Dorothy Anne Way Cupertino, CA 95014	0.75
2-2	022-53-002	<b>MILPITAS MCCARTHY RANCH INC</b>	1.23
2-3	022-53-003	8750 N CENTRAL EX STE 800 DALLAS, TX 75231	0.76
2-4	022-53-004	<b>HSC Associates LP</b> 251 RANCH DR MILPITAS CA 95035	0.60
2-5	022-53-005	<b>HSC Associates LP</b> 690 Gibraltar Dr Milpitas, CA 95035-6317	0.74
2-6	022-53-006	<b>MILPITAS MCCARTHY RANCH INC</b>	1.19
2-7	022-53-007	8750 N CENTRAL EX STE 800 DALLAS, TX 75231	21.92
3	022-29-016	<b>Walmart Stores, Inc.</b> PO BOX 8050 MS 0555 BENTONVILLE AR 72712	14.56
4-1A-1	022-56-005	<b>BRE/MILPITAS LLC</b>	2.03
4-1A-2	022-56-006	P O BOX A- 3879	2.06
4-1A-3	022-56-007	CHICAGO IL 60690-3879	2.07
4-1A-4	022-56-008		34.52
4-1A-5	022-56-009		24.32
4-1B	022-29-037	<b>City of San Jose</b> 200 E SANTA CLARA ST SAN JOSE, CA 95113	6

<b>ASSESSMENT DIAGRAM NUMBER</b>	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>OWNER</b>	<b>NET ASSESSABLE AREA (acres)</b>
5-1A-1	022-29-034	<b>CALIFORNIA DIVERSIFIED LLC</b>	36.66
5-2A-1	022-29-035	550 NEWPORT CENTER DR NEWPORT BEACH CA 92660	31.14
5-3A	022-29-036	<b>McCarthy Ranch LP</b>	35.01
5-3B-1	022-30-037	15425 LOS GATOS BL UNIT 102 LOS GATOS CA 95032	9.19
5-3B-2	022-30-038	<b>New Trend Tech Inc.</b> 680 N McCarthy Blvd Milpitas, CA 95035	10
5-3B-3	022-30-039	<b>McCarthy Ranch LP</b> 15425 LOS GATOS BL UNIT 102 LOS GATOS CA 95032	5.22
5-3C	022-30-035	<b>City of Milpitas</b> 455 E. Calaveras Blvd. Milpitas, CA 95035	0.19
5-5A	022-30-048	<b>McCarthy Ranch LP</b> 15425 LOS GATOS BL UNIT 102 LOS GATOS CA 95032	9.34
5-6	022-30-041	<b>City of Milpitas</b> 455 E. Calaveras Blvd. Milpitas, CA 95035	1.43
5-7	022-30-049	<b>City of Milpitas</b> 455 E. Calaveras Blvd. Milpitas, CA 95035	9.16
<b>TOTAL</b>			<b>285.8</b>

**ENGINEER'S REPORT  
LANDSCAPING AND LIGHTING  
MAINTENANCE ASSESSMENT DISTRICT NO. 95-1  
FISCAL YEAR 2011-2012**

**CERTIFICATES**

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment Diagram thereto attached, was filed with me on the 21st day of June, 2011.

Mary Lavelle, City Clerk  
City of Milpitas  
Santa Clara County, California  
By: \_\_\_\_\_

I have prepared this Engineer's Report and do hereby certify that the amounts set forth in the Engineer's Estimate on Part B hereof entitled "assessment", and the individual amounts of the Assessment Roll on Part C herein, have been computed by me in accordance with the order of the City Council of the City of Milpitas, adopted on the 17th day of May, 2011.

Greg Armendariz, Engineer of Work  
By: \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, were approved and confirmed by the City Council of the City of Milpitas, Santa Clara County, California, on the 5th day of July, 2011, by Resolution No. \_\_\_\_\_.

Mary Lavelle, City Clerk  
City of Milpitas  
Santa Clara County, California  
By: \_\_\_\_\_

I HEREBY CERTIFY that the Assessment and Assessment Diagram, was filed with the County Auditor of the County of Santa Clara, on the 15th day of July, 2011.

Mary Lavelle, City Clerk  
City of Milpitas  
Santa Clara County, California  
By: \_\_\_\_\_

An assessment was levied by the City Council of the City of Milpitas, County of Santa Clara, State of California on the lots, pieces and parcels of land shown on this assessment diagram. Said assessment was levied on the 5th day of July 2011; said assessment diagram and the assessment roll were recorded in the Office of the Superintendent of Streets of said City on the 8th day of July 2011. Reference is made to the assessment roll recorded in the Office of the Superintendent of Streets for the exact amount of each assessment levied against each parcel of land shown on this assessment diagram.

City Clerk of the City of Milpitas

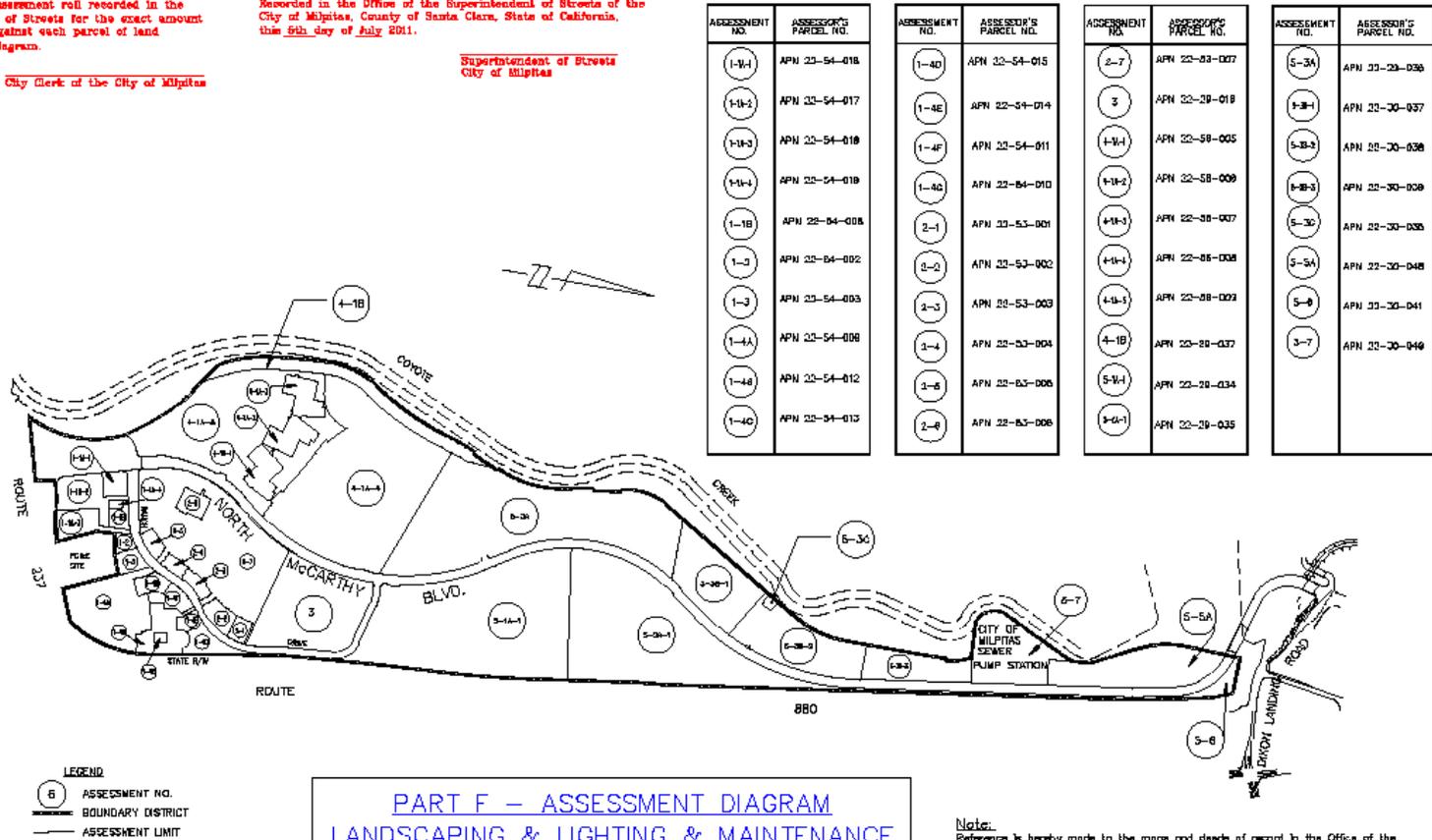
Filed in the Office of the City Clerk of the City of Milpitas, County of Santa Clara, State of California this 5th day of June, 2011.

City Clerk of the City of Milpitas

Recorded in the Office of the Superintendent of Streets of the City of Milpitas, County of Santa Clara, State of California, this 6th day of July 2011.

Superintendent of Streets  
City of Milpitas

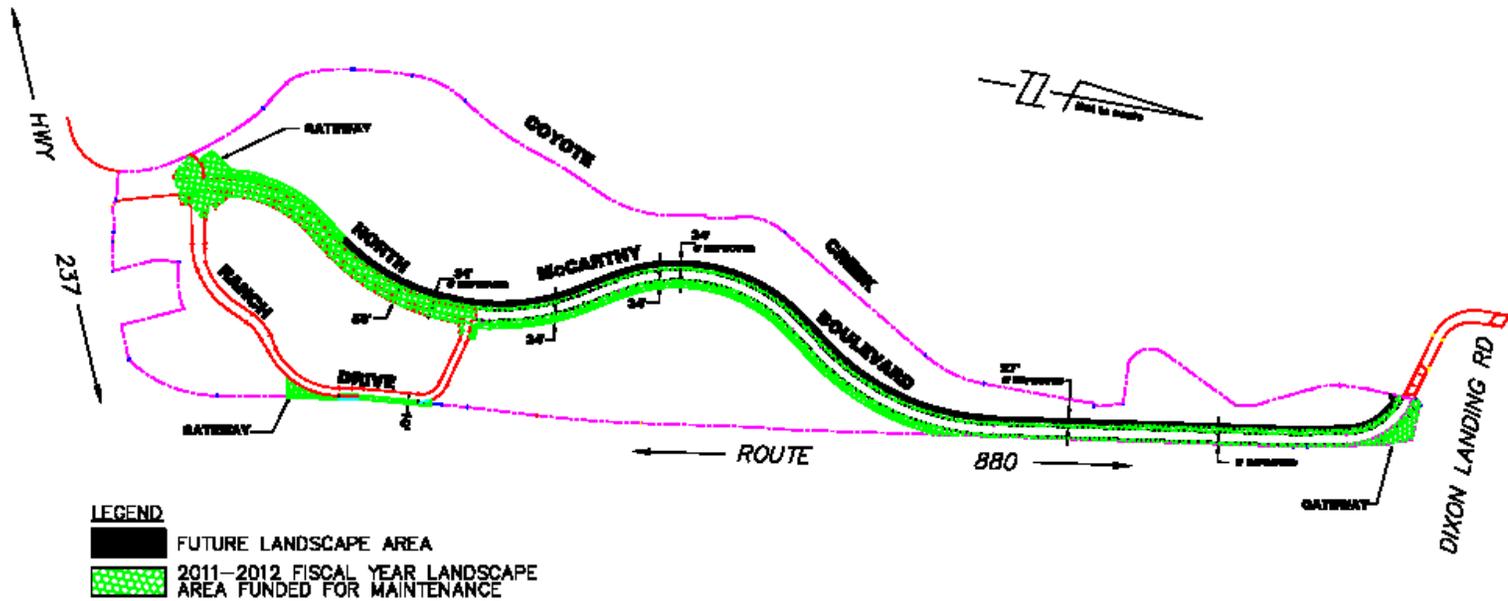
Figure 1



**PART F – ASSESSMENT DIAGRAM  
LANDSCAPING & LIGHTING & MAINTENANCE  
ASSESSMENT DISTRICT NO. 95-1  
OF  
CITY OF MILPITAS  
COUNTY OF SANTA CLARA – STATE OF CALIFORNIA**

**Note:**  
Reference is hereby made to the maps and deeds of record in the Office of the Assessor of the County of Santa Clara for a detailed description of the lines and dimensions of any parcels shown hereon. These maps shall govern for all details concerning the lines and dimension of such parcels. Each parcel is identified in said maps by its distinctive Assessor's Parcel Number.

Figure 2



# McCarthy Ranch

PART G – VICINITY MAP  
LANDSCAPING & LIGHTING MAINTENANCE  
ASSESSMENT DISTRICT NO. 95-1  
CITY OF MILPITAS  
COUNTY OF SANTA CLARA – STATE OF CALIFORNIA

