

PETITION, CONSENT AND WAIVER

A PETITION, CONSENT AND WAIVER TO THE CITY COUNCIL OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, FOR THE ANNEXATION OF TRACT 2790 (MERRY HILL RD AND HILLTOP DR) INTO THE LANDSCAPING AND LIGHTING DISTRICT NO. 1, PURSUANT TO APPLICABLE PORTIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972 BEING PART 2 OF DIVISION 15 OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA

WITNESSETH:

- A. WHEREAS, the petitioner, White Bruce C Tre (hereinafter referred to as the "Owner"), is the sole owner of that certain real property (hereinafter referred to as the "Property") located in the City of Paso Robles, State of California, (hereinafter referred to as the "City") more particularly described as follows:

Property Description: The area of land identified Tract 2790 which is located on the west side of Paso Robles, between Merry Hill Rd and Hilltop Dr. The area is comprised of the following Assessor Parcel Numbers:

Assessor Parcel Numbers: 009-071-009, 009-071-010, 009-071-011, 009-071-012,
009-071-013, 009-071-014;

- B. WHEREAS, the development includes three street light improvements (hereinafter referred to as the "Improvements") to a standard acceptable to the City in those certain areas conditioned for the Project (hereinafter referred to as the "Improvement Areas"); and
- C. WHEREAS, these Improvements must be maintained; and
- D. WHEREAS, the Improvement Areas and Improvements must be kept and maintained so as not to compromise the integrity of the improvements within the Improvement Areas; and
- E. WHEREAS, pursuant to applicable portions of the "Landscaping and Lighting Act of 1972", being Part 2 of Division 15 of the Streets and Highways Code of the State of California ("1972 Act"), the City may annex territory into a district to provide for the continued maintenance of the Improvements, and for the payment of the costs and expenses incurred for such maintenance; and
- F. WHEREAS, the Right to Vote on Taxes Act, which added Articles XIII C and XIII D to the California Constitution (hereinafter referred to as the "Constitutional Provisions") requires among other things that all new assessments must comply with the Constitutional Provisions; and
- G. WHEREAS, the Constitutional Provisions also requires that the City conduct a public hearing not less than 45 days after mailing a notice of the proposed assessment along with an assessment ballot to record owners of each parcel which will have a special benefit conferred upon them and upon which an assessment will be imposed; and
- H. WHEREAS, the California Civil Code, Section 3513, allows anyone to waive the advantage of a law intended solely for their benefit; and

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- I. WHEREAS, the forty-five-day period before the conduct of the public hearing is not established for a public reason but is solely for the advantage of the parcels having a special benefit conferred upon them and which an assessment will be imposed; and
- J. WHEREAS, the proposed assessments upon the Property and associated parcels within the Project will be for the special benefit to be received by the Property and associated parcels within the Project from the Improvements; and
- K. WHEREAS, the Owner of this Property is the sole owner or authorized representative the owners of such real property identified as Assessor Parcel Numbers 009-071-009, 009-071-010, 009-071-011, 009-071-012, 009-071-013, 009-071-014;
- L. that will be benefited by the Improvements, and the maintenance, operation, and servicing thereof; and
- M. WHEREAS, the Constitutional Provisions do not prohibit a waiver of the forty-five-day noticing period.

NOW, THEREFORE, in furtherance of the foregoing recitals, the Owner does hereby petition the City as follows:

1. In order to assure the continued maintenance, operation, and servicing of the Improvements, and the payment of the cost and expenses incurred for such maintenance, the Owner hereby requests that the City annex the Property referenced in Paragraph A of the recitals herein above into the Landscaping and Lighting District No. 1 ("District") pursuant to the 1972 Act.

2. The Owner acknowledges that the Property referenced in Paragraph A of the recitals herein above, represents all the parcels to be annexed into the District as part of Sub Area 120 and that the total annual assessment for the Improvements shall be apportioned and applied to the Property in accordance with the benefits received.

3. As the Owner of the Property referenced in Paragraph A of the recitals herein above to be annexed into the District, the Owner hereby waives all statutory notices of hearings and rights of majority protests by interested property owners in the proposed annexation per Section 22608 of the 1972 Act.

4. As the Owner of the Property referenced in Paragraph A of the recitals herein above, which will receive a special benefit from the Improvements and is proposed to be assessed for the special benefit, the Owner hereby waives all statutory notice periods per the Constitutional Provisions.

5. In consideration of the approval of the annexation by the City, the Owner hereby proposes as follows:

- a. To consent to the annexation of territory into the District;
- b. To consent to, and cast a ballot authorizing the levy of assessments against the Property in an amount reasonably determined by the City to cover all costs and expenses incurred for the continued maintenance, and operation, of the Improvements; and
- c. To pay the assessments levied against the Property for the first fiscal year in

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which they are levied prior to the sale of the property or any portion thereof to a successor of interest.

OWNER:

White Bruce C Tre
5375 Santa Rita Ranch Rd.
Templcton, CA 93465



Signature

Bruce White - Trustee

(Type or Print Name of Representative)

Date:

2-3-2025

SIGNATURE(S) TO BE NOTORIZED

Exhibit B

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CA)SS

COUNTY OF San Luis Obispo)

On Feb 3, 2025 before me, M. Stewart, Notary Public, personally appeared Bruce C. White -

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

This area for official notarial seal.

M. Stewart

Notary Signature

