

ENGINEER'S REPORT
for the
Darkhorse Permanent Road Division (PRD)
Retherford Road Annexation

Nevada County, California
January 2019



Prepared by:
Trisha Tillotson, P.E.
Director of Public Works
County of Nevada
950 Maidu Avenue Nevada City, CA 95959

Engineer's Certification

This is to certify that I have prepared and approved this Engineer's Report for the Darkhorse Permanent Road Division Retherford Road Annexation.

Trisha Tillotson, P.E.
Director of Public Works, County of Nevada

Date

I. INTRODUCTION AND PURPOSE OF SPECIAL TAX

A. Retherford Road Annexation into the Darkhorse Permanent Road Division

In 2002 the Nevada County Board of Supervisors approved Resolution 02-518 forming the Darkhorse Permanent Road Division (PRD) and establishing a special tax to fund the PRD. In 2005 and 2011 the Board approved Resolutions 05-280 and 11-429, annexing two more parcels totaling approximately 112 acres into the PRD. There are currently 214 single-family residential lots within the Darkhorse PRD levied a special tax of \$298 annually, and one property with the golf course and clubhouse taxed at \$6,600 per year. Other golf course parcels and public parcels, such as those owned by Nevada Irrigation District, are not assessed the PRD tax. These charges were established with the original 2002 formation of the PRD and have been maintained at this rate with the two subsequent annexations. As of this writing, the funds have proven adequate for short- and long-term road maintenance and improvement purposes.

On March 2, 2018, property owners taking access from Retherford Road, a private road, submitted a petition to the Nevada County Department of Public Works Department requesting annexation into the Darkhorse PRD for road maintenance services. The annexation area includes 15 parcels adjacent to and north of the Darkhorse subdivision, as shown in the attached map of the PRD boundaries. In the petition, 11 of the 15 property owners within the proposed annexation area requested annexation into the PRD. The properties within the annexation area are listed in **Appendix A**. Annexation area boundaries are described and shown in **Appendix B**.

B. Service Area

The maintenance segments in the proposed annexation area consist of Serene Hill Court and Retherford Road from Magnolia Road to Serene Hill Court, a total of approximately 3,860 feet, which together provide a connection from Darkhorse Drive to Magnolia Road. These roads provide an important secondary access route for the Darkhorse subdivision.

C. Services Provided

Within the first five years of annexation, the County will not conduct any major infrastructure improvements or repairs in the annexation area unless funds are available from the annexed properties to do so, or there is an imminent safety or access issue. The County will maintain the roads within the annexation area as needed for safety and minor road repair work such as pothole repair and crack sealing. After the first five years, the County will implement a road maintenance program consisting of normal and preventative maintenance services consistent with current and future Nevada County road maintenance policies, including the establishment and implementation of strategic long-range maintenance and rehabilitation programs. The following items are typically included in a 21-year pavement maintenance cycle:

- Road resurfacing, including seal coat, patch and crack seal preparation work twice per cycle.
- Pavement overlay and additional preparation and preservation work at the end of each cycle.
- Miscellaneous road maintenance work as needed, including brush and vegetation maintenance, pothole repair, drainage and culvert maintenance, signing and striping, etc. within the County right of way.

Private driveways encroaching onto County rights of way are not included in PRD maintenance costs. These costs are borne by the property owners.

II. LEGAL REQUIREMENTS

In November 1996 the voters of the State of California passed Proposition 218 which made significant changes in assessment law. Among those changes was a requirement that a detailed engineer's report be prepared by a Registered Professional Engineer in the State of California. This report is being prepared in response to that requirement.

Another requirement of the new law is that the report must establish a substantive "special benefit" to property for the valid levy of an assessment. In the case of this assessment, the "special benefit" to property being assessed is the availability of paved road surfaces and storm drainage to all assessed lots. All the residential lots in the PRD zone of benefit are to be assessed an equal amount of the total assessment.

III. BASIS OF ANNUAL ASSESSMENT

The annual special taxes for the maintenance program as defined in this report are based upon previously calculated maintenance costs of the original Darkhorse PRD.

A. Methodology

The Retherford Road properties proposed for annexation would be charged the same rate as all residential parcels within the Darkhorse PRD: \$298 per parcel. These charges were established with a special tax applied to the original 2002 formation of the PRD and have been maintained at this rate. These costs have proven adequate for the maintenance of the existing roads within the PRD. No annual Consumer Price Index (CPI) adjustment is being proposed at this time because the existing Darkhorse PRD does not have a CPI adjustment. A CPI adjustment can be added at any time with a two-thirds vote to amend the special tax that funds the PRD.

B. Calculation

Utilizing the maintenance costs calculated previously at the time the Final Map was created, the annual maintenance cost for the annexation is calculated at \$298 per parcel.

IV. TAXATION AMOUNT AND METHOD OF COLLECTION

A. Taxation Amount

The special tax is calculated for the 2018/19 Tax Year and is proposed to be as follows:

- Residential cost of \$298 per parcel per year calculated by previous engineer's estimate.

B. Method and Timing of Collection

The special tax for the annexed properties will be collected in the same way real property taxes are collected by the Nevada County Tax Collector and will be deposited by the County in the fund in the name of "Darkhorse Permanent Road Division." Taxes will be collected in two (2) installments and will be available within sixty (60) days after the installments are due. Special taxes for the annexation area properties will be collected beginning in the fiscal year (FY) 2019/20.

APPENDIX A – ASSESSMENT ROLL

Darkhorse PRD Retherford Road Annexation

Parcel Number	Site Address	APN
1	22939 Wild Iris Lane	011-221-010-000
2	22737 Montclair Court	011-221-011-000
3	22912 Montclair Court	011-710-019-000
4	22817 Chateau Court	011-710-020-000
5	22788 Chateau Court	011-710-021-000
6	22743 Chateau Court	011-710-022-000
7	22687 Chateau Court	011-710-023-000
8	22650 Montclair Court	011-710-024-000
9	22866 Montclair Court	011-710-025-000
10	22915 Montclair Court	011-710-026-000
11	22811 Montclair Court	011-710-027-000
12	22810 Montclair Court	011-710-028-000
13	22575 Montclair Court	011-710-029-000
14	22252 Retherford Road	011-710-038-000
15	22346 Retherford Road	011-710-039-000

APPENDIX B – LEGAL DESCRIPTION AND MAP OF ANNEXATION BOUNDARIES

Darkhorse PRD Retherford Road Annexation

That portion of land within a portion of the South Half of Section 24 and a portion of the Northeast Quarter of Section 25, Township 14 North, Range 8 East, M.D.B.&M, in the unincorporated area of County of Nevada, State of California, and being described as follows:

Beginning at the southeast corner of the Annexation No. 1 into the Darkhorse Permanent Road Division (PRD) as shown on that certain Record of Survey Map recorded July 22, 2005 in Book 13 of Surveys at Page 113, Nevada County Official Records and being the southeast corner of Parcel 2 as shown on that certain Parcel Map recorded February 5, 2010 in Book 20 of Parcel Maps at Page 94, Nevada County Official Records; thence from said Point of Beginning northerly and along the easterly line of said Darkhorse PRD boundary and said Parcel 2 the following ten (10) consecutive courses: 1) North $17^{\circ} 37' 35''$ West, 249.82 feet to the beginning of a curve to the left having a radius of 550.00 feet, 2) Along said curve through a central angle of $15^{\circ} 33' 15''$ and an arc length of 149.31 feet, 3) North $33^{\circ} 10' 50''$ West, 90.48 feet, 4) South $85^{\circ} 30' 43''$ West, 56.91 feet to the beginning of a non-tangent curve concave northeasterly and having a radius of 330.00 feet whose chord bears North $16^{\circ} 14' 04''$ West, 178.37 feet 5) Along said curve through a central angle of $31^{\circ} 21' 30''$ and an arc length of 180.61 feet, 6) South $77^{\circ} 28' 25''$ West, 30.61 feet to the beginning of a non-tangent curve concave southeasterly and having a radius of 360.00 feet whose chord bears North $2^{\circ} 43' 51''$ East, 53.95 feet, 7) Along said curve through a central angle of $8^{\circ} 35' 41''$ and an arc length of 54.00 feet, 8) North $7^{\circ} 01' 42''$ East, 102.07 feet to the beginning of a curve to the left having a radius of 270.00 feet, 9) Along said curve through a central angle of $25^{\circ} 34' 39''$ and an arc length of 120.53 feet, 10) North $18^{\circ} 32' 57''$ West, 284.07 feet to the northwest corner of Parcel 2 as shown on that certain Parcel Map recorded December 11, 2006 in Book 20 of Parcel Maps at Page 20, Nevada County Official Records; thence continuing along the northerly and easterly line of said Darkhorse PRD boundary and said Parcel 2 the following three (3) consecutive courses: 1) North $67^{\circ} 23' 25''$ West, 664.28 feet, 2) South $89^{\circ} 04' 30''$ West, 430.86 feet, and 3) North $00^{\circ} 55' 30''$ West, 392.85 feet to the northwest corner of Parcel 2 as shown on that certain Parcel Map recorded October 30, 2006 in Book 20 of Parcel Maps at Page 11, Nevada County Official Records; thence easterly along the north line of said Parcel 2 North $89^{\circ} 40' 30''$ East, 857.07 feet to an angle point of said Parcel 2 and being an angle point on Parcel 1 of said Parcel Map in Book 20 at Page 11; thence northerly along the westerly line of said Parcel 1 North $5^{\circ} 48' 29''$ West, 1,374.40 feet to a point on the southerly right-of-way line of Magnolia Road and the beginning of a non-tangent curve concave southwesterly and having a radius of 210.00 feet whose chord bears South $58^{\circ} 31' 47''$ East, 224.22 feet; thence easterly along said southerly right-of-way line of Magnolia Road and said curve through a central angle of $64^{\circ} 31' 56''$ and an arc length of 236.52 feet; thence continuing easterly along said southerly right-of-way line of Magnolia Road the following four (4) consecutive courses: 1) South $26^{\circ} 15' 50''$ East, 300.00 feet to the beginning of a curve to the left having a radius of 410.00 feet, 2) Along said curve through a central angle of $67^{\circ} 46' 15''$ and an arc length of 484.96 feet, 3) North $85^{\circ} 57' 55''$ East, 100.00 feet to the beginning of a curve to the left having a radius of 590.00 feet, 4) Along said curve through a central angle of $48^{\circ} 16' 51''$ and an arc length of 497.17 feet to the northeast corner of Lot 4 of the Pine Mountain Ranch Unit No. 1 – Phase I as shown on that certain map recorded February 19, 1998 in Book 8 of Subdivision Maps at Page 57, Nevada County Official Records; thence leaving said right-of-way line of Magnolia Road and

southeasterly along the easterly line of said Lot 4, South 50° 00' 00" East, 451.48 feet to the most easterly corner of said Lot 4 and being the northwest corner of Lot 7 of the Pine Mountain Ranch Unit No. 2 as shown on that certain map recorded December 9, 1999 in Book 8 of Subdivision Maps at Page 74, Nevada County Official Records; thence easterly along the northerly line of said Lot 7, North 86° 13' 41" East, 889.93 feet to the northeast corner of said Lot 7 and being the easterly line of said Section 24; thence southerly along the easterly line of Lots 7, 8 & 5 of said Pine Mountain Ranch Unit No. 2 Subdivision and Section 24, South 02° 24' 36" East, 1,984.31 feet to the southeast corner of said Section 24; thence continuing southerly along the easterly line of said Section 25 and also being the easterly line of Parcel 2 as shown on that certain Parcel Map recorded March 9, 1989 in Book 17 of Parcel Maps at Page 207, Nevada County Official Records, South 02° 24' 36" East, 342.55 feet to the southeast corner of said Parcel 2; thence southwesterly along the southerly line of said Parcel 2, South 54° 35' 25" West, 1,263.50 feet to the southwest corner of said Parcel 2 and being the centerline of a 60-foot right-of-way for Wild Iris Lane and the beginning of a non-tangent curve concave southwesterly and having a radius of 200.00 feet whose chord bears North 46° 05' 15" West, 152.89 feet; thence northwesterly along the centerline of said Wild Iris Lane right-of-way the following seven (7) consecutive courses: 1) Along said curve through a central angle of 44° 56' 30" and an arc length of 156.88 feet, 2) North 68° 33' 30" West, 205.63 feet to the beginning of a curve to the left having a radius of 250.00 feet, 3) Along said curve through a central angle of 23° 52' 30" and an arc length of 104.17 feet, 4) South 87° 34' 00" West, 28.62 feet to the beginning of a curve to the right and having a radius of 250.00 feet, 5) Along said curve through a central angle of 30° 13' 00" and an arc length of 131.85 feet, 6) North 62° 13' 00" West, 180.26 feet to the beginning of a curve to the right and having a radius of 250.00 feet, 7) Along said curve through a central angle of 43° 53' 39" and an arc length of 191.52 feet to the south line of the fifty foot (50') right-of-way of Serene Hill Court; thence westerly along the south line of said fifty foot right-of-way line of Serene Hill Court, North 89° 32' 47" West, 997.48 feet to the east line of Parcel C of said Parcel Map in Book 15 at Page 115; thence northerly along the east line of said Parcel C, North 8° 06' 57" West, 50.56 feet to the south line of said Darkhorse PRD boundary; thence easterly along the south line of said Parcel 2 and said Darkhorse PRD boundary, South 89° 32' 47" East, 1,041.79 feet to said Point of Beginning.

The herein described property contains an area of 154.09 acres, more or less.

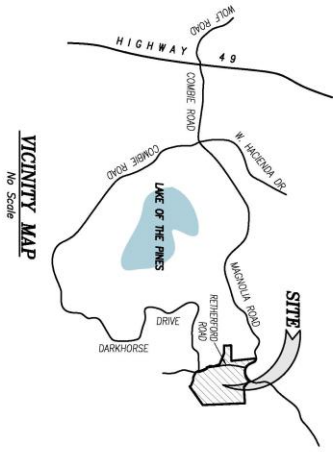
This description has been prepared by me, or under my direct supervision, in conformance with the Professional Land Surveyors Act, on October 25, 2018.



Kevin J. Nelson, P.L.S. 8423
Expires 12-31-18



That portion of land within a portion of the South Half of Section 24 and a portion of the Northeast Quarter of Section 25, Township 14 North, Range 8 East, M.D.B.&M, in the unincorporated area of County of Nevada, State of California, and being described as follows:

[illegible][illegible]

OF THE DARKHORSE PERMANENT ROAD DIVISION 25th DAY OF OCTOBER, 2016

KEVIN J. NELSON, P.L.S. 8423
NEVADA COUNTY SURREYTOR



FILED THIS _____ DAY OF _____, 2018 AT _____
IN BOOK _____ OF SURETYS AT PAGE _____, AT THE REQUEST
OF THE NEVADA COUNTY PUBLIC WORKS DEPARTMENT.

DOCUMENT No.: _____
GREGORY J. DIAZ
COUNTY RECORDER
FEE: _____
BY: _____
NEELIN

PERMANENT ROAD DIVISION

NEVADA COUNTY
DEPARTMENT OF PUBLIC WORKS

