

TO: CITY COUNCIL
CITY OF NEWPORT BEACH
THIS ____ DAY OF _____, 200__

FILED IN THE OFFICE OF THE CITY CLERK

CITY CLERK

RE: **ASSESSMENT DISTRICT NO. XXX**

PETITION FOR SPECIAL ASSESSMENT PROCEEDINGS

1. We, the undersigned, are the property owners of land within the area shown on the map attached as Exhibit "A" and made a part of this document.
2. We petition you to undertake special assessment proceedings for the financing of the following described public improvements:

The conversion of existing overhead electrical and communication facilities to underground locations in the City of Newport Beach within the area generally bounded by {INSERT DESCRIPTION OF BOUNDARY}, together with appurtenances, all to specially benefit the properties within Assessment District No. XXX.

3. We understand:
 - A. The cost of the improvements will be assessed against the land that specially benefits from the improvements, including our land;
 - B. The cost of engineering, legal and other incidental expenses will be included in the cost of the improvements;
 - C. Each property owner may pay an assessment either in cash without interest or in installments with interest over a period of 15 years.
 - D. A preliminary estimate of the cost of the improvements, together with incidentals, contingencies and financing costs, is in the aggregate that follows:

\$\$\$,XXX.XX
 - E. Property with an assessment lien is subject to judicial foreclosure in cases of delinquency and non-payment.

THE UNDERSIGNED HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THEY ARE THE OWNERS OF THE PROPERTY AS IDENTIFIED BELOW:

LEGAL DESCRIPTION OR ASSESSMENT NO: _____

STREET ADDRESS OR PROPERTY: _____

OWNER'S SIGNATURE: _____

OWNER'S NAME (PRINTED): _____

DATE: _____

OWNER'S MAILING ADDRESS (IF DIFFERENT): _____

LEGAL DESCRIPTION OR ASSESSMENT NO: _____

STREET ADDRESS OR PROPERTY: _____

OWNER'S SIGNATURE: _____

OWNER'S NAME (PRINTED): _____

DATE: _____

OWNER'S MAILING ADDRESS (IF DIFFERENT): _____

LEGAL DESCRIPTION OR ASSESSMENT NO: _____

STREET ADDRESS OR PROPERTY: _____

OWNER'S SIGNATURE: _____

OWNER'S NAME (PRINTED): _____

DATE: _____

OWNER'S MAILING ADDRESS (IF DIFFERENT): _____

AGENCY: CITY OF NEWPORT BEACH

PROJECT: ASSESSMENT DISTRICT NO. XXX

INSTRUCTIONS

PETITION SIGNATURES

The Petition shall be signed by property owners representing more than 60% in area of the property subject to assessment. The signatures shall be by owners of assessable acreage. "Owner" means only:

a person who, at the time the petition is filed . . ., appears to be the owner upon the assessor's roll or, in the case of transfers of land, or parts thereof, subsequent to the date upon which the last assessor's roll was prepared, appear[s] to be the owner on the records in the county assessor's office which the county assessor will use to prepare the next assessor's roll. If any person signing the petition appears . . . as a joint tenant or tenant-in-common, or as a husband and wife, that property shall be counted as if those persons had signed the petition.

If the person signing the Petition does not appear to be the owner as shown on the records of the County Assessor, evidence should be submitted to support the ownership. If the person is signing on behalf of a corporation, etc., documentation should be presented to show that the person signing the Petition has the authority to do so.

Please note that the Petition should include the following information:

1. Property owner's name printed;
2. Signature of property owner;
3. Address;
4. Legal description or County Assessor's parcel number;
5. Date of signature.

**CERTIFICATE OF PETITION CIRCULATION
IN LIEU OF NOTARIZED SIGNATURES**

STATE OF CALIFORNIA
COUNTY OF ORANGE
CITY OF NEWPORT BEACH

The undersigned, being first duly sworn, deposes and says:

I circulated the petition accompanying this affidavit within the territory shown on the attached petition for ASSESSMENT DISTRICT NO. XXX. The persons whose signatures appear on said petition are, to the best of my knowledge, owners of property within the boundary of the district proposed to be formed. Each and all of said persons signed said petition in my presence.

I HEREBY DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE IS TRUE AND CORRECT.

Executed this _____ day of _____, 200____, at Newport Beach, California.

Name: