

October 23, 1971

The following report is made pursuant to the order, numbered 17360, of the Superior Court of the state of California in and for the county of Madera appointing me arbitrator to apportion fairly and equitably the just and proper cost of maintaining private roadways in and about the area commonly known and described as Cascadel Woods.

The roads in question have been delineated on Assessor's Map number 60-20 which is made a part of this report.

The apportionment area is also outlined on the aforementioned map and is more particularly described in this report.

Respectfully submitted,

Darwin Hansen

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- R E P O R T -

The roads of Cascadel Woods and its envireons in my opinion serve two separate and distinct functions:

1. ACCESS
2. USE

ACCESS

The property owner can get to his property, this is access. If an owner wishes to sell his property, he can take prospective buyers to the property. A road, if it provides easy access, definitely enhances not only the value of the property but also its saleability. A paved road provides good quality access. Dust is controlled. Access is possible the year round.

In our modern, highly mobile society, good quality access is usually considered a must and valued accordingly. Every piece of property served by the road system of Cascadel derives some of its value from its paved access. Every property owner has an economic interest in maintaining this access.

USE

The property owner who has developed some livable facility on his property and spends either some or all of his time in residence derives an additional benefit from the road system, that is, use. He can travel to and from his residence to market, to

recreation, to schools and churches or to a doctor or hospital. In addition, others can come to him with food, services or emergency facilities. The benefits of use are obvious and valuable.

APPORTIONMENT OF COST

Equity in terms of maintenance cost distribution can be based upon the two functions which the road system serves. Owners of unimproved property should pay for access, one unit of cost. Owners of improved property with living quarters constructed should pay for access and for use, two units of cost (assuming single family residences for most parcels, see subsequent paragraphs).

Maintenance costs for the road system shall be based upon:

1. An estimated annual cost for all items of maintenance for the coming year. It is assumed that maintenance must be paid for when contracted and money must be available before work can proceed. Estimates are possible based upon previous years expenses and anticipated needs. Any surplus or deficiency of funds may be carried over to the next years budget.
2. The sum of all cost units.

SUM = ACCESS UNITS + USE UNITS

The number of access units is the number of parcels of property within the apportionment area (see description and map) defined by a Madera County Assessor's parcel number, regardless of the size of the parcel.

The number of use units is the number of constructed residences or living quarters located on the property parcels identified in the previous paragraph. If there is more than one residence or living unit on a single piece of property, one unit should be charged for each separate residence. If house trailers are used as residences, a charge of one unit per house trailer should be levied. In order that some criteria be available to judge whether a house trailer is a residence: if a house trailer be situated on the property and occupied 12 week-ends or more per year, it may be classed as a residence.

A business facility on commercial property should be treated in the same manner as a residence and charged one cost unit.

3. The value of a unit. A unit is a fraction of the total estimated annual maintenance cost. All units are of equal value. For example, if

the sum of all units is 200 and the annual maintenance budget is \$4000, a unit would be worth \$20.

$$\text{ONE UNIT} = \$4000 / 200 = \$20$$

4. Charges levied against each property equal to the number of cost units (access and use) for the property times the value of one unit.

$$\text{CHARGE} = \text{NO OF UNITS} \times \text{UNIT VALUE}$$

APPORTIONMENT AREA DESCRIPTIONS

1. The south 1/2 of section 16, township 8 south, range 23 east, Mount Diablo Base and Meridian, excepting the westerly 2000 feet thereof.
2. The west 1/2 of the southwest 1/4 of section 15, township 8 south, range 23 east, Mount Diablo Base and Meridian.
3. The southwest 1/4 of the northwest 1/4 of section 15, township 8 south, range 23 east, Mount Diablo Base and Meridian.

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